

# **Exhibit 12**

**CINDY JENNINGS 3/30/2017**

| Page 1   | Page 3   |
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| <p>1 UNITED STATES DISTRICT COURT<br/>2 EASTERN DISTRICT OF MISSOURI, EASTERN DIVISION<br/>3 --oOo--<br/>4 DWAYNE FURLOW, et al., )<br/>5 )<br/>6 Plaintiffs, )<br/>7 vs. )Case No. 4:16-CV-00254-CEJ<br/>8 )<br/>9 JON BELMAR, et al., )<br/>10 )<br/>11 Defendants. )<br/>12 )<br/>13 VIDEO-RECORDED DEPOSITION OF<br/>14 CINDY JENNINGS<br/>15 )<br/>16 March 30, 2017<br/>17 )<br/>18 (Beginning at 9:28 a.m.)<br/>19 )<br/>20 )<br/>21 )<br/>22 )<br/>23 )<br/>24 )<br/>25 )</p>  | <p>1 Exhibit 6 Document entitled "LEPAC Agenda 116<br/>2 Item" dated November 1, 2012<br/>3 Exhibit 7 Document entitled 120<br/>4 "Locate/Detainer, When on earth<br/>5 do I use them?"<br/>6 )<br/>7 (The original exhibits were retained by the court<br/>8 reporter and will be copied and attached to copies<br/>9 of the transcript.)<br/>10 )<br/>11 )<br/>12 )<br/>13 )<br/>14 )<br/>15 )<br/>16 )<br/>17 )<br/>18 )<br/>19 )<br/>20 )<br/>21 )<br/>22 )<br/>23 )<br/>24 )<br/>25 )</p>   |
| Page 2   | Page 4   |
| <p>1 INDEX<br/>2 PAGE<br/>3<br/>4 EXAMINATION BY MR. HOLLAND .....8<br/>5 EXAMINATION BY MR. HUGHES .....134<br/>6 EXHIBITS<br/>7 Exhibit 1 List of topics 11<br/>8 Exhibit Gomez 3 Previously marked exhibit 50<br/>9 Exhibit Gomez 16 Previously marked exhibit 60<br/>10 Exhibit Gomez 17 Previously marked exhibit 60<br/>11 Exhibit Gomez 18 Previously marked exhibit 60<br/>12 Exhibit 2 Document entitled "LEPAC 96<br/>13 Agenda Item" dated May 7, 2015<br/>14 Exhibit 3 Document entitled "LEPAC Agenda 96<br/>15 Item" dated August 6, 2015<br/>16 Exhibit 4 Document entitled "Law 96<br/>17 Enforcement Policy Advisory<br/>18 Committee Meeting Minutes" dated<br/>19 August 6, 2015<br/>20 Exhibit 5 Document entitled "Law 96<br/>21 Enforcement Policy Advisory<br/>22 Committee Meeting Minutes" dated<br/>23 May 7, 2015<br/>24 Exhibit Gomez 24 Previously marked exhibit 99<br/>25 Exhibit Meschke 2 Previously marked exhibit 104</p> | <p>1 UNITED STATES DISTRICT COURT<br/>2 EASTERN DISTRICT OF MISSOURI, EASTERN DIVISION<br/>3 --oOo--<br/>4 DWAYNE FURLOW, et al., )<br/>5 )<br/>6 Plaintiffs, )<br/>7 vs. )Case No. 4:16-CV-00254-CEJ<br/>8 )<br/>9 JON BELMAR, et al., )<br/>10 )<br/>11 Defendants. )<br/>12 )<br/>13 --oOo--<br/>14 VIDEO-RECORDED DEPOSITION OF CINDY<br/>15 JENNINGS, produced, sworn, and examined on Thursday,<br/>16 March 30, 2017, taken on behalf of the Plaintiffs,<br/>17 at the offices of Midwest Litigation Services, 711<br/>18 North 11th Street, in the City of St. Louis, State<br/>19 of Missouri, before RENÉE COMBS QUINBY, a Certified<br/>20 Court Reporter (MO), Certified Shorthand Reporter<br/>21 (CA), Registered Merit Reporter, Certified Realtime<br/>22 Reporter, and a Notary Public within and for the<br/>23 State of Missouri.<br/>24 )<br/>25 )</p> |

1 (Pages 1 to 4)

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CINDY JENNINGS 3/30/2017

| Page 5   | Page 7   |
|--|--|
| <p>1 APPEARANCES</p> <p>2</p> <p>3 FOR THE PLAINTIFFS:</p> <p>4 Nathaniel R. Carroll, Esq.</p> <p>5 ArchCity Defenders, Inc.</p> <p>6 1210 Locust Street</p> <p>7 St. Louis, MO 63103</p> <p>8 (855)724-2489</p> <p>9 ncarroll@archcitydefenders.org</p> <p>10</p> <p>11 Timothy J. Holland, Esq.</p> <p>12 Paul, Weiss, Rifkind, Wharton &amp; Garrison LLP</p> <p>13 1285 Avenue of the Americas</p> <p>14 New York, NY 10019-6064</p> <p>15 (212)373-3373</p> <p>16 tholland@paulweiss.com</p> <p>17</p> <p>18 Angelo Guisado, Esq.</p> <p>19 Britney Wilson, Esq.</p> <p>20 Center For Constitutional Rights</p> <p>21 666 Broadway, 7th Floor</p> <p>22 New York, NY 10012</p> <p>23 (212)614-6464</p> <p>24 aguisado@ccrjustice.org</p> <p>25 bwilson@ccrjustice.org</p> <p>FOR THE WITNESS:</p> <p>Raymond B. Flojo, Esq.</p> <p>City of St. Louis Law Department</p> <p>1915 Olive Street, Suite 773</p> <p>St. Louis, MO 63103</p> <p>(314)444-5609</p> <p>rflojo@slmpd.org</p> | <p>1 --oOo--</p> <p>2 IT IS HEREBY STIPULATED AND AGREED by and</p> <p>3 between counsel for the Plaintiffs and counsel for</p> <p>4 the Defendants, that this deposition may be taken in</p> <p>5 machine shorthand by RENÉE COMBS QUINBY, a Certified</p> <p>6 Court Reporter and Notary Public, and afterwards</p> <p>7 transcribed into typewriting, and the signature</p> <p>8 waived by agreement of Counsel and consent of the</p> <p>9 Witness.</p> <p>10 --oOo--</p> <p>11 PROCEEDINGS 9:29 a.m.</p> <p>12 --oOo--</p> <p>13 THE VIDEOGRAPHER: We are now on the</p> <p>14 record. Today's date is March the 30th, 2017. The</p> <p>15 time is approximately 9:29 a.m. This is the</p> <p>16 video-recorded deposition of Cindy Jennings in the</p> <p>17 matter of Furlow, et al., versus Belmar, et al.,</p> <p>18 Case Number 4:16-CV-00245-CEJ in the United States</p> <p>19 District Court for the Eastern District of Missouri.</p> <p>20 This deposition is being held at</p> <p>21 Midwest Litigation Center in St. Louis, Missouri.</p> <p>22 The reporter's name is Renée Quinby. My name is</p> <p>23 David Doell, and I'm the legal videographer. We're</p> <p>24 here with Midwest Litigation Services.</p> <p>25 Will the attorneys present please</p> |
| Page 6   | Page 8   |
| <p>1 FOR THE DEFENDANTS:</p> <p>2 Michael E. Hughes, Esq.</p> <p>3 St. Louis County Counselor's Office</p> <p>4 41 S. Central Avenue, 9th Floor</p> <p>5 Clayton, MO 63105</p> <p>6 (314)615-7042</p> <p>7 mhughes2@stlouisco.com</p> <p>8</p> <p>9 THE VIDEOGRAPHER:</p> <p>10 David Doell</p> <p>11 Midwest Litigation Services</p> <p>12 711 North 11th Street</p> <p>13 St. Louis, MO 63101</p> <p>14 (314)644-2191</p> <p>15</p> <p>16 COURT REPORTER:</p> <p>17 RENÉE COMBS QUINBY, RMR, CRR</p> <p>18 CSR (CA) #11867</p> <p>19 CCR (MO) #1291</p> <p>20 Midwest Litigation Services</p> <p>21 711 North 11th Street</p> <p>22 St. Louis, MO 63101</p> <p>23 (314)644-2191</p> <p>24</p> <p>25</p>  | <p>1 introduce yourselves.</p> <p>2 MR. HOLLAND: My name is Timothy</p> <p>3 Holland. I'm here from Paul Weiss on behalf of</p> <p>4 plaintiffs, and I have co-counsel who will introduce</p> <p>5 themselves.</p> <p>6 MR. CARROLL: Nathaniel Carroll from</p> <p>7 ArchCity Defenders also here on behalf of the</p> <p>8 plaintiffs.</p> <p>9 MS. WILSON: I'm Britney Wilson, also</p> <p>10 here on behalf of the plaintiffs, from the Center</p> <p>11 for Constitutional Rights.</p> <p>12 MR. GUISADO: Angelo Guisado, Center</p> <p>13 for Constitutional Rights, on behalf of plaintiffs.</p> <p>14 MR. HUGHES: I am Michael Hughes. I</p> <p>15 represent Jon Belmar, St. Louis County, Christopher</p> <p>16 Partin, and Laura Clements and Kevin Walsh.</p> <p>17 MR. FLOJO: Ray Flojo from the City</p> <p>18 Counselor's Office here for the REJIS Commission.</p> <p>19 (Discussion off the record.)</p> <p>20 EXAMINATION</p> <p>21 BY MR. HOLLAND:</p> <p>22 Q. Good morning, Ms. Jennings.</p> <p>23 A. Good morning.</p> <p>24 Q. My name is Tim Holland, and I'll be</p> <p>25 asking you some questions today. Can you just state</p>   |

2 (Pages 5 to 8)

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CINDY JENNINGS 3/30/2017

| Page 9   | Page 11   |
|--|---|
| <p>1 <b>your name and spell your name again for the record.</b></p> <p>2 A. Cindy, C-i-n-d-y; Jennings,</p> <p>3 J-e-n-n-i-n-g-s.</p> <p>4 <b>Q. Thank you. So as I'm asking you</b></p> <p>5 <b>questions today, if you don't understand something,</b></p> <p>6 <b>if something comes across to you as vague, unclear,</b></p> <p>7 <b>confusing, just let me know so I can try to ask a</b></p> <p>8 <b>better question, okay?</b></p> <p>9 A. Yes.</p> <p>10 <b>Q. Is there anything that might keep you</b></p> <p>11 <b>from answering truthfully and accurately or fully</b></p> <p>12 <b>today such as a medical condition or substance of</b></p> <p>13 <b>any kind?</b></p> <p>14 A. No.</p> <p>15 <b>Q. And if that changes during the course</b></p> <p>16 <b>of today you'll let me know?</b></p> <p>17 A. Yes.</p> <p>18 <b>Q. Okay. For the sake of efficiency</b></p> <p>19 <b>hopefully to get you out of here as soon as we can,</b></p> <p>20 <b>let's just go over some ground rules.</b></p> <p>21 <b>As you can see we only have one court</b></p> <p>22 <b>reporter here, and there's two of us talking, so she</b></p> <p>23 <b>can only take down one of our words at once. So</b></p> <p>24 <b>let's just try our best not to talk over each other.</b></p> <p>25 <b>If you're talking, I'll do my best to</b></p> | <p>1 A. Yes.</p> <p>2 <b>Q. When did you find out that you'll be</b></p> <p>3 <b>testifying today?</b></p> <p>4 A. About three weeks ago.</p> <p>5 <b>Q. Who did you find out from?</b></p> <p>6 A. A man that showed up at work -- at</p> <p>7 REJIS.</p> <p>8 MR. HOLLAND: And I'll show you what</p> <p>9 I'll mark as Jennings Exhibit 1.</p> <p>10 (Exhibit 1 was marked for</p> <p>11 identification.)</p> <p>12 MR. HOLLAND: A copy for each of you.</p> <p>13 <b>Q. Did that man give you this document?</b></p> <p>14 A. Yes.</p> <p>15 <b>Q. Now, in the -- in the center of this</b></p> <p>16 <b>document or on the first page, it says that you will</b></p> <p>17 <b>be testifying regarding the following matters, and</b></p> <p>18 <b>it lists training and any other matters related to</b></p> <p>19 <b>the St. Louis County Police Department in connection</b></p> <p>20 <b>with your employment at REJIS; do you see that?</b></p> <p>21 A. Yes.</p> <p>22 <b>Q. And are you prepared today to testify</b></p> <p>23 <b>on those topics?</b></p> <p>24 A. Yes.</p> <p>25 <b>Q. Okay. Great. You can set that aside.</b></p>   |
| Page 10  | Page 12   |
| <p>1 <b>wait until you're done answering; and if I'm</b></p> <p>2 <b>answering a question, I know you might want to jump</b></p> <p>3 <b>on where I'm going, but just let me finish for her</b></p> <p>4 <b>sake and then we can have this go more efficiently</b></p> <p>5 <b>today.</b></p> <p>6 A. Sure.</p> <p>7 <b>Q. Your attorney, Mr. Flojo, as well as</b></p> <p>8 <b>Mr. Hughes, who's here for the defendants, may at</b></p> <p>9 <b>times object to a question I ask. Unless Mr. Flojo</b></p> <p>10 <b>instructs you not to answer, you can go ahead and</b></p> <p>11 <b>keep answering my question though. The objection is</b></p> <p>12 <b>purely for the record. Does that make sense?</b></p> <p>13 A. Yes.</p> <p>14 <b>Q. Okay. Have you ever been deposed</b></p> <p>15 <b>before?</b></p> <p>16 A. Yes.</p> <p>17 <b>Q. How many times?</b></p> <p>18 A. Three.</p> <p>19 <b>Q. All three in your capacity at REJIS?</b></p> <p>20 A. Yes.</p> <p>21 <b>Q. When did those depositions take place?</b></p> <p>22 A. I don't recall the years.</p> <p>23 <b>Q. Within the past five years?</b></p> <p>24 A. Once, yes.</p> <p>25 <b>Q. And the others earlier than that?</b></p>  | <p>1 <b>What did you -- so in the past three</b></p> <p>2 <b>weeks when -- since you found out you were going to</b></p> <p>3 <b>be testifying, what have you done to prepare for</b></p> <p>4 <b>today?</b></p> <p>5 A. Nothing.</p> <p>6 <b>Q. Did you meet with anybody to prepare?</b></p> <p>7 A. I spoke to Mr. Flojo yesterday -- well,</p> <p>8 actually I emailed him to say that I</p> <p>9 couldn't make --</p> <p>10 <b>Q. Let's stop there. There's -- you might</b></p> <p>11 <b>know just from being deposed before there's</b></p> <p>12 <b>privileged communications. So I don't need to know</b></p> <p>13 <b>the contents of your communications with Mr. Flojo.</b></p> <p>14 <b>But just all I'm wondering is, you know, how many</b></p> <p>15 <b>times did you speak with him, about how long were</b></p> <p>16 <b>those communications? I don't need to know the</b></p> <p>17 <b>contents.</b></p> <p>18 A. Spoke with him once about 30 minutes.</p> <p>19 <b>Q. Great. And may have emailed him</b></p> <p>20 <b>questions you may have had or something like that?</b></p> <p>21 A. Correct.</p> <p>22 <b>Q. Okay. So aside from those 30 minutes</b></p> <p>23 <b>or so, did you do anything else to prepare such as</b></p> <p>24 <b>look as documents or anything like that?</b></p> <p>25 A. No.</p> |

3 (Pages 9 to 12)

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CINDY JENNINGS 3/30/2017

| Page 13   | Page 15  |
|---|--|
| <p>1 Q. So I'm going to be showing you some</p> <p>2 documents at various points today, maybe all of them</p> <p>3 hopefully -- hopefully not all of them that are</p> <p>4 sitting here next to me.</p> <p>5 But when we're done, I'll probably ask</p> <p>6 you again -- I'll probably ask you whether aside</p> <p>7 from the documents we looked at today, are you aware</p> <p>8 of any other documents that might be relevant to</p> <p>9 what we've discussed, what the topics listed in</p> <p>10 this -- this subpoena I showed you are. And at that</p> <p>11 point I'd appreciate it if you'll tell me if they</p> <p>12 exist; is that fair?</p> <p>13 A. Yes.</p> <p>14 Q. Let's walk through some of your</p> <p>15 background starting with your education. So after</p> <p>16 high school can you walk me through what other</p> <p>17 education you've received.</p> <p>18 A. Some college and I graduated from</p> <p>19 Hickey Business School.</p> <p>20 Q. Where did you attend college?</p> <p>21 A. Florissant Valley.</p> <p>22 Q. Where is that located?</p> <p>23 A. Florissant, Missouri.</p> <p>24 Q. And you said "some college." About how</p> <p>25 long did you attend college for?</p> | <p>1 Q. We don't have to walk through every</p> <p>2 year, but if you can give me just what your</p> <p>3 positions were since you've worked at REJIS.</p> <p>4 A. I started as a secretary. I worked on</p> <p>5 the help desk. I was a trainer, client</p> <p>6 representative, and training supervisor.</p> <p>7 Q. About how long before you became a</p> <p>8 trainer were you employed at REJIS?</p> <p>9 A. Three years.</p> <p>10 Q. So in the early '80s you became a</p> <p>11 trainer?</p> <p>12 A. That is correct.</p> <p>13 Q. And then about when did you become a</p> <p>14 training supervisor?</p> <p>15 A. Ten years ago.</p> <p>16 Q. Who hired you into that position as a</p> <p>17 training supervisor?</p> <p>18 A. The director of client services.</p> <p>19 Q. What was his or her name?</p> <p>20 A. Larry White.</p> <p>21 Q. Who have your supervisors been since</p> <p>22 you've been a training supervisor?</p> <p>23 A. Larry White, John Earls, David</p> <p>24 Pudloski, Marc Meschke.</p> <p>25 Q. Is Marc Meschke your current</p> |
| Page 14   | Page 16  |
| <p>1 A. I took about eight credit hours.</p> <p>2 Q. And then you went -- and then after</p> <p>3 that you went where?</p> <p>4 A. Nowhere.</p> <p>5 Q. Nowhere.</p> <p>6 A. I graduated from Hickey College first</p> <p>7 after high school.</p> <p>8 Q. Hickey College, and you said that was a</p> <p>9 business degree?</p> <p>10 A. Yes, secretarial program.</p> <p>11 Q. Secretarial program. And do you have</p> <p>12 any training in law enforcement?</p> <p>13 A. No, I do not.</p> <p>14 Q. Do you have any formal legal training?</p> <p>15 A. No, I do not.</p> <p>16 Q. After you graduated from Hickey College</p> <p>17 and then attended for about eight credits at</p> <p>18 Florissant, did you then start at REJIS?</p> <p>19 A. I started at REJIS when I graduated</p> <p>20 from Hickey.</p> <p>21 Q. And what year was that?</p> <p>22 A. '78.</p> <p>23 Q. And you've worked at REJIS continuously</p> <p>24 since 1978?</p> <p>25 A. That's correct.</p>  | <p>1 supervisor?</p> <p>2 A. Yes, he is.</p> <p>3 Q. Do you have anybody that reports in to</p> <p>4 you?</p> <p>5 A. Yes, I do.</p> <p>6 Q. How many people?</p> <p>7 A. Four.</p> <p>8 Q. Are they trainers?</p> <p>9 A. They are.</p> <p>10 Q. Which makes you their training</p> <p>11 supervisor?</p> <p>12 A. Correct.</p> <p>13 Q. That makes sense.</p> <p>14 Can you give me an idea of your</p> <p>15 day-to-day responsibilities since you've been a</p> <p>16 training supervisor?</p> <p>17 A. I conduct the law enforcement training</p> <p>18 classes, basically all of our training classes. I</p> <p>19 supervise those individuals that conduct the</p> <p>20 classes. We prepare the documentation, calendar.</p> <p>21 I'm responsible for help desk, phone calls. I'm</p> <p>22 also responsible for working with the applications</p> <p>23 development team to develop our applications.</p> <p>24 Q. You said you're responsible for the law</p> <p>25 enforcement training courses. Can you tell me a</p>                                       |

4 (Pages 13 to 16)

CINDY JENNINGS 3/30/2017

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|---|---|
| <p style="text-align: right;">Page 17</p> <p>1 <b>little bit more about that? Who do you -- who on</b><br/> 2 <b>the law enforcement do you train?</b><br/> 3 A. We train anyone that has access to the<br/> 4 law enforcement files or the criminal justice files,<br/> 5 whether they be in the St. Louis area or the Kansas<br/> 6 City area. And that's Kansas City, Missouri, and<br/> 7 Kansas City, Kansas, both. And then we also have<br/> 8 clients in Illinois.<br/> 9 <b>Q. And does that include both police</b><br/> 10 <b>officers as well as clerks?</b><br/> 11 A. It does.<br/> 12 <b>Q. Do you train them after or before they</b><br/> 13 <b>gain access to the record systems?</b><br/> 14 A. Both.<br/> 15 <b>Q. Now, you have four people you said</b><br/> 16 <b>underneath you. Do you have -- have you trained</b><br/> 17 <b>them since they have started as trainers?</b><br/> 18 A. Yes, all of them.<br/> 19 <b>Q. What does that training involve?</b><br/> 20 A. They will attend the classes that we<br/> 21 instruct and then they will also sit in or go to the<br/> 22 agencies to observe the agencies and how they work.<br/> 23 They go on ride-alongs with them, some of the<br/> 24 departments. They'll go to the courts, sit in on<br/> 25 the court classes, court proceedings.</p> | <p style="text-align: right;">Page 19</p> <p>1 all clients.<br/> 2 <b>Q. Thank you. So aside from law</b><br/> 3 <b>enforcement and the trainers who you train, who else</b><br/> 4 <b>do you train?</b><br/> 5 A. Courts, court clerks, court<br/> 6 administrators, judges, prosecutors, attorneys,<br/> 7 paralegals -- I'm going to call them security<br/> 8 personnel that use our PS Net program, and that's<br/> 9 it.<br/> 10 <b>Q. So anyone who accesses the systems that</b><br/> 11 <b>you maintain?</b><br/> 12 A. Correct.<br/> 13 <b>Q. Or by "you" I mean REJIS.</b><br/> 14 A. Correct.<br/> 15 <b>Q. Now, do you use -- are these oral</b><br/> 16 <b>trainings or do you use, you know, materials to</b><br/> 17 <b>assist your trainings for all these courses?</b><br/> 18 A. Both.<br/> 19 <b>Q. About how many trainings do you</b><br/> 20 <b>yourself conduct in any given year?</b><br/> 21 A. Separate classes or --<br/> 22 <b>Q. That's a good question. Let me</b><br/> 23 <b>clarify.</b><br/> 24 <b>So your clarifying question is asking</b><br/> 25 <b>whether -- how many courses because you could -- you</b></p>  |
| <p style="text-align: right;">Page 18</p> <p>1 We also put them on the help desk so<br/> 2 that they're answering some of the phone calls or<br/> 3 listening to the phone calls that come into the<br/> 4 clients. Also work with our applications group.<br/> 5 Kind of onboarding program that they'll work with<br/> 6 each unit within REJIS.<br/> 7 <b>Q. So you kind of make sure they're</b><br/> 8 <b>familiar with all the various end points where</b><br/> 9 <b>they're going to have to be providing training?</b><br/> 10 A. That's correct.<br/> 11 <b>Q. And you mentioned earlier you have them</b><br/> 12 <b>visit all of the agencies. Can you just be a little</b><br/> 13 <b>bit more specific?</b><br/> 14 A. What we do is we have client<br/> 15 representatives that are assigned to individual<br/> 16 departments, and then the trainer would work with<br/> 17 that client representative to go to some of those<br/> 18 departments to see the operations if they're not<br/> 19 familiar.<br/> 20 <b>Q. I guess my question is who are the</b><br/> 21 <b>clients?</b><br/> 22 A. Clients would be -- well, law<br/> 23 enforcement would be the police agencies. We have<br/> 24 the courts. We have corrections agencies. We have<br/> 25 prosecutors. We have private access agencies are</p> | <p style="text-align: right;">Page 20</p> <p>1 <b>could obviously teach the same course many times.</b><br/> 2 A. Correct.<br/> 3 <b>Q. So let's -- how many courses do you</b><br/> 4 <b>teach in any given year? I'm not going to hold you</b><br/> 5 <b>to the number.</b><br/> 6 A. I'm going to say probably 75.<br/> 7 <b>Q. And about how many of those are of law</b><br/> 8 <b>enforcement, police officers or clerks?</b><br/> 9 A. 73, 74.<br/> 10 <b>Q. Depending on the audience does the</b><br/> 11 <b>course change or do all of these various people or</b><br/> 12 <b>groups that you told us about already today, do they</b><br/> 13 <b>take the same course?</b><br/> 14 A. The different people, the different<br/> 15 areas take different courses. So the private access<br/> 16 people would not take the same course as a police<br/> 17 officer would take, if I understand you correctly.<br/> 18 <b>Q. How would the police officer's training</b><br/> 19 <b>differ from the private access folks?</b><br/> 20 A. They have different access levels so<br/> 21 they would have different views, different security<br/> 22 clearances than the private access people would<br/> 23 have.<br/> 24 <b>Q. What are the various types of access</b><br/> 25 <b>levels to REJIS?</b></p> |

5 (Pages 17 to 20)

CINDY JENNINGS 3/30/2017

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| <p style="text-align: right;">Page 21</p> <p>1 A. We have about 60 different levels of</p> <p>2 certification, so we customize the certification</p> <p>3 based on the individual's role.</p> <p>4 <b>Q. Can you give me some examples of the</b></p> <p>5 <b>types of access and certification that a police</b></p> <p>6 <b>officer might have?</b></p> <p>7 A. Yes. Many of the police officers would</p> <p>8 have what we call a level 27 which allows them to</p> <p>9 access hot file and driver vehicle registration</p> <p>10 records.</p> <p>11 We have some officers that are at a</p> <p>12 different level. They would have access to do entry</p> <p>13 of arrest records in addition to their inquiry</p> <p>14 access.</p> <p>15 We have officers that would have full</p> <p>16 access, meaning they could do all entries and all</p> <p>17 inquiries, and they would be a level 2.</p> <p>18 <b>Q. So the most common level is just being</b></p> <p>19 <b>able to go into the system and access information</b></p> <p>20 <b>that was already input, is that fair to say, among</b></p> <p>21 <b>officers? Level 27, I think you said.</b></p> <p>22 A. Yes.</p> <p>23 <b>Q. What would give an officer level 2, all</b></p> <p>24 <b>entry, all access?</b></p> <p>25 A. I don't understand your question.</p>  | <p style="text-align: right;">Page 23</p> <p>1 A. Yes.</p> <p>2 <b>Q. In what topics do you train them in?</b></p> <p>3 A. They would take the regular training</p> <p>4 classes, and then if the agency chooses to make them</p> <p>5 trainer, that's their choice.</p> <p>6 <b>Q. So they take the same course as any</b></p> <p>7 <b>other police officer, and then it's just up to the</b></p> <p>8 <b>police department to say, okay, we're going to make</b></p> <p>9 <b>you a trainer in this area to train, you know,</b></p> <p>10 <b>incoming police officers; is that fair?</b></p> <p>11 A. Fair.</p> <p>12 <b>Q. Let's just talk a little bit about the</b></p> <p>13 <b>REJIS database itself. Your supervisor,</b></p> <p>14 <b>Mr. Meschke, previously was deposed in this case.</b></p> <p>15 <b>He discussed a lot of this, so hopefully that will</b></p> <p>16 <b>be able to spare you some of the nitty-gritty</b></p> <p>17 <b>details. So just who created REJIS?</b></p> <p>18 A. REJIS was created out of the St. Louis</p> <p>19 City Police Department.</p> <p>20 <b>Q. And has it grown to cover other</b></p> <p>21 <b>departments in geographical areas?</b></p> <p>22 A. Yes, we cover -- yes.</p> <p>23 <b>Q. What does it presently cover?</b></p> <p>24 A. St. Louis City, St. Louis County,</p> <p>25 Jefferson County, Franklin County, St. Charles</p> |
| <p style="text-align: right;">Page 22</p> <p>1 <b>Q. You said some officers have level 2</b></p> <p>2 <b>access which gives them all entry, all viewing.</b></p> <p>3 <b>What would give an officer -- what qualifications</b></p> <p>4 <b>would an officer have to have in order to get that</b></p> <p>5 <b>level of access or that role?</b></p> <p>6 A. The level or access role would be</p> <p>7 assigned by their department, so they complete an</p> <p>8 identification -- what we call an operator</p> <p>9 identification form which identifies what access</p> <p>10 that department wants them to give them. REJIS</p> <p>11 doesn't make that determination.</p> <p>12 <b>Q. Okay. Now, among all these trainings</b></p> <p>13 <b>do you train trainers from other agencies who then</b></p> <p>14 <b>go back and train their employees?</b></p> <p>15 A. I guess I would need a little more</p> <p>16 clarification. Meaning do I certify them as a</p> <p>17 trainer?</p> <p>18 <b>Q. No. Let me -- let me clarify.</b></p> <p>19 A. Okay.</p> <p>20 <b>Q. So as an example, police officers go</b></p> <p>21 <b>through The Police Academy and they have in-service</b></p> <p>22 <b>training, so obviously there are trainers employed</b></p> <p>23 <b>by the police department for that purpose. Do you</b></p> <p>24 <b>train them in any capacity that they then use what</b></p> <p>25 <b>they learn from you to train police officers?</b></p> | <p style="text-align: right;">Page 24</p> <p>1 County, and you go out to the Kansas City side of</p> <p>2 the state and you'll have the Kansas City counties,</p> <p>3 Jackson.</p> <p>4 And then we go over to the Kansas side,</p> <p>5 and so you have Johnson County, Kansas area, and</p> <p>6 then we also cover Illinois counties of Madison,</p> <p>7 Monroe, and St. Clair.</p> <p>8 <b>Q. And what is a wanted?</b></p> <p>9 A. Wanted? A wanted is based on</p> <p>10 questioning, based on a police report, wanted for</p> <p>11 questioning.</p> <p>12 <b>Q. Is that one of the -- that's one of</b></p> <p>13 <b>the -- one of the applications or entries that's</b></p> <p>14 <b>maintained within the REJIS database?</b></p> <p>15 A. Yes.</p> <p>16 <b>Q. And how about a stop order?</b></p> <p>17 A. Stop order is also in the REJIS</p> <p>18 database.</p> <p>19 <b>Q. So staying on wanted, what is the</b></p> <p>20 <b>purpose of REJIS giving officers the option of</b></p> <p>21 <b>entering a wanted rather than having them obtain an</b></p> <p>22 <b>arrest warrant?</b></p> <p>23 A. What is the purpose?</p> <p>24 <b>Q. So REJIS provides the interface where</b></p> <p>25 <b>the officer can have a clerk enter information that</b></p>  |

6 (Pages 21 to 24)

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CINDY JENNINGS 3/30/2017

| Page 25  | Page 27  |
|--|--|
| <p>1 sends out a wanted through REJIS. Why does REJIS</p> <p>2 provide that option as opposed to having them go get</p> <p>3 a -- you know, an arrest warrant?</p> <p>4 A. I don't know.</p> <p>5 Q. Is it fair to say that arrests are</p> <p>6 effectuated on the basis of the information</p> <p>7 contained in the REJIS database?</p> <p>8 A. Can you repeat that?</p> <p>9 Q. So what I'm asking is: REJIS -- the</p> <p>10 REJIS database allows for the entry of a wanted.</p> <p>11 A. Correct.</p> <p>12 Q. Is it fair to say that the information</p> <p>13 contained in that entry can lead to an arrest?</p> <p>14 MR. FLOJO: Let me show my objection on</p> <p>15 speculation.</p> <p>16 MR. HUGHES: Object to the form of that</p> <p>17 question. Improper foundation.</p> <p>18 BY MR. HOLLAND:</p> <p>19 Q. You can answer.</p> <p>20 A. Answer?</p> <p>21 Q. Yeah.</p> <p>22 A. Correct.</p> <p>23 Q. So it's important that that information</p> <p>24 is accurate, correct?</p> <p>25 A. Correct.</p>                          | <p>1 MR. HUGHES: Just object.</p> <p>2 Argumentative.</p> <p>3 BY MR. HOLLAND:</p> <p>4 Q. What information should be in a wanted</p> <p>5 entry within REJIS to make it complete?</p> <p>6 A. What are required fields for entry?</p> <p>7 Q. Correct.</p> <p>8 A. Last name, first name, race, sex, date</p> <p>9 of birth or age, height, weight, eye color, hair</p> <p>10 color is the pedigree information, and then the</p> <p>11 charge -- I've got to go down the screen.</p> <p>12 The charge, the court ORI -- the</p> <p>13 charge, not the court ORI, the date of offense, and</p> <p>14 the extradition.</p> <p>15 Q. You mentioned court ORI. What is that?</p> <p>16 A. Court ORI is the court, if it is a</p> <p>17 warrant, the court that issued the warrant.</p> <p>18 Q. So that would be an added requirement</p> <p>19 if it was a warrant entry?</p> <p>20 A. Correct.</p> <p>21 Q. And if the officer doesn't have all of</p> <p>22 that information just listed, can the wanted still</p> <p>23 be entered if he doesn't know his last name but</p> <p>24 knows his first name or doesn't know his exact</p> <p>25 height? Do they guess or can the wanted be issued</p> |
| Page 26  | Page 28  |
| <p>1 Q. And part of your job is to ensure that</p> <p>2 the users know how to create entries that are</p> <p>3 complete and accurate; is that fair?</p> <p>4 A. Correct.</p> <p>5 Q. And it's also your job to make sure the</p> <p>6 users of that information are able to interpret it</p> <p>7 in a fair and reasonable way to know how to use it;</p> <p>8 is that fair?</p> <p>9 A. Fair.</p> <p>10 Q. What happens when information in REJIS</p> <p>11 is not accurate?</p> <p>12 MR. HUGHES: Just object to the form of</p> <p>13 the question. It's way overbroad.</p> <p>14 MR. FLOJO: I'll join. Speculation</p> <p>15 too.</p> <p>16 BY MR. HOLLAND:</p> <p>17 Q. Have you ever been aware of a situation</p> <p>18 where information within a wanted entry in REJIS is</p> <p>19 inaccurate?</p> <p>20 A. No.</p> <p>21 Q. And you're not saying there's never</p> <p>22 been an instance where there's been inaccurate</p> <p>23 information; you're just saying you yourself aren't</p> <p>24 aware?</p> <p>25 A. That is correct.</p> | <p>1 without some of that information?</p> <p>2 A. It's really two questions. The first</p> <p>3 question, you said was the name.</p> <p>4 Q. My main question is can it be -- can a</p> <p>5 wanted really be issued with less than all of that</p> <p>6 information?</p> <p>7 A. No.</p> <p>8 Q. And once a wanted is entered into the</p> <p>9 system -- excuse me -- how long can it remain in the</p> <p>10 system, in REJIS?</p> <p>11 A. That depends on the severity of the</p> <p>12 offense.</p> <p>13 Q. Can you explain that?</p> <p>14 A. If it's a felony versus a misdemeanor</p> <p>15 versus a warrant -- excuse me -- ordinance, the</p> <p>16 length of stay in the system changes.</p> <p>17 Q. Can you tell me how long the length is</p> <p>18 for each level of offense? If you don't know, you</p> <p>19 don't know.</p> <p>20 A. No.</p> <p>21 Q. That's fair. I don't want you to guess</p> <p>22 today.</p> <p>23 A. No.</p> <p>24 Q. That's fair. But wanteds can remain --</p> <p>25 withdrawn.</p>   |

7 (Pages 25 to 28)

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CINDY JENNINGS 3/30/2017

| Page 29   | Page 31  |
|---|--|
| <p>1           <b>Are you familiar with temporary</b></p> <p>2   <b>wanted?</b></p> <p>3       A. No.</p> <p>4       <b>Q. Are you familiar with how long other</b></p> <p>5   <b>systems such as MULES or NCIC allow wanteds to be</b></p> <p>6   <b>kept in their systems?</b></p> <p>7       A. Wanted?</p> <p>8       <b>Q. Or stop orders.</b></p> <p>9       MR. HUGHES: Yeah. Just object. It</p> <p>10      assumes facts not in evidence that calls for</p> <p>11      speculation and conjecture.</p> <p>12       MR. HOLLAND: I'm just asking her about</p> <p>13      her knowledge of these other systems.</p> <p>14       <b>Q. Are you familiar with MULES?</b></p> <p>15       A. Yes.</p> <p>16       <b>Q. Are you familiar with the fact that</b></p> <p>17   <b>MULES has entries comparable to wanteds?</b></p> <p>18       A. Yes.</p> <p>19       MR. HUGHES: Same objection.</p> <p>20       BY MR. HOLLAND:</p> <p>21       <b>Q. Are you familiar with how long an entry</b></p> <p>22   <b>like that can remain in MULES?</b></p> <p>23       A. Yes.</p> <p>24       <b>Q. How long?</b></p> <p>25       A. I can't recite them all to you off the</p>  | <p>1      state or national files.</p> <p>2       <b>Q. What does it mean not to qualify for</b></p> <p>3   <b>the state or national files?</b></p> <p>4       A. Meaning that when they enter</p> <p>5      information into our system we have files that do</p> <p>6      not meet the criteria nor exist in those other</p> <p>7      systems.</p> <p>8       <b>Q. What type of files?</b></p> <p>9       A. Arrest would be -- a local arrest</p> <p>10      record would be only in REJIS. That doesn't get</p> <p>11      sent to the state. Our arrest file stays locally.</p> <p>12       <b>Q. Why wouldn't the state -- if there's a</b></p> <p>13   <b>wanted, why wouldn't statewide be interested in</b></p> <p>14   <b>those local files, if you know?</b></p> <p>15       A. Ask me one more time, please.</p> <p>16       <b>Q. Sure. So if you enter -- if you're</b></p> <p>17   <b>using REJIS it has local files that if you're using</b></p> <p>18   <b>MULES you just can't access. So if there's an</b></p> <p>19   <b>individual who's wanted, why wouldn't the statewide</b></p> <p>20   <b>jurisdictions, police departments be interested in</b></p> <p>21   <b>those -- access to those files, if you know?</b></p> <p>22       MR. HUGHES: My objection, calls for</p> <p>23      speculation and conjecture.</p> <p>24       MR. FLOJO: I'll join.</p> <p>25       BY MR. HOLLAND:</p>   |
| Page 30   | Page 32  |
| <p>1      top of my head going down from -- it varies between</p> <p>2      warrant, wanted, stop order, temporary warrants.</p> <p>3      That all changes based on the type of entry and the</p> <p>4      severity of the charge.</p> <p>5       <b>Q. All right. I'll come back to that</b></p> <p>6   <b>later and maybe we'll have a document that we can</b></p> <p>7   <b>have some more certainty on. That will be helpful,</b></p> <p>8   <b>I think.</b></p> <p>9       <b>Do you train -- do you provide any</b></p> <p>10   <b>training on why to use REJIS instead of MULES or</b></p> <p>11   <b>NCIC in any particular situation?</b></p> <p>12       A. I explain the differences between all</p> <p>13      three systems and what one does versus another.</p> <p>14       <b>Q. And you do that training in the courses</b></p> <p>15   <b>taken by police officers?</b></p> <p>16       A. Yes.</p> <p>17       <b>Q. Do you train them -- withdrawn.</b></p> <p>18       <b>So I assume you've been asked the</b></p> <p>19   <b>question, "Why should I use REJIS instead of using</b></p> <p>20   <b>MULES?"</b></p> <p>21       A. Yes.</p> <p>22       <b>Q. What would be your answer to that</b></p> <p>23   <b>question?</b></p> <p>24       A. REJIS provides the ability to enter</p> <p>25      local information that does not qualify for the</p> | <p>1       <b>Q. You can answer.</b></p> <p>2       A. They got me -- lost your question.</p> <p>3       <b>Q. That's okay. I'm just trying to wrap</b></p> <p>4   <b>my head around you have these three systems that</b></p> <p>5   <b>kind of overlap in ways. Officers use one in</b></p> <p>6   <b>certain scenarios, one in another scenario. I'm --</b></p> <p>7   <b>you train them on this issue.</b></p> <p>8       <b>So I'm just trying to learn from you</b></p> <p>9   <b>why would they use one system over the other and why</b></p> <p>10   <b>would users of one system, MULES, not want or need</b></p> <p>11   <b>access to the same files that a user of REJIS would</b></p> <p>12   <b>have.</b></p> <p>13       MR. FLOJO: Same objection.</p> <p>14       THE WITNESS: The local -- if the</p> <p>15      person is wanted on a local offense, the state does</p> <p>16      not want those records in their system. The</p> <p>17      severity level. So you have local ordinances,</p> <p>18      misdemeanors, and felonies. So if I'm wanted on a</p> <p>19      local offense, that department would choose not to</p> <p>20      go outside a particular area, so that would mean the</p> <p>21      record would be in REJIS only.</p> <p>22       BY MR. HOLLAND:</p> <p>23       <b>Q. Is another benefit of using REJIS</b></p> <p>24   <b>over -- "benefit" was the wrong word.</b></p> <p>25       <b>Is another reason that an officer might</b></p> |

8 (Pages 29 to 32)

CINDY JENNINGS 3/30/2017

| Page 33   | Page 35  |
|---|--|
| <p>1 use REJIS over MULES because their wanted can remain<br/>2 in the system longer?<br/>3 A. I can't answer that for them.<br/>4 Q. Okay. Let's talk a little bit more<br/>5 about your training role as the training supervisor.<br/>6 You've already said you lead trainings. The other<br/>7 four that are underneath you, is it just you five<br/>8 who lead the trainings that you've discussed today?<br/>9 A. Yes.<br/>10 Q. What qualifications does one need to<br/>11 become a REJIS trainer?<br/>12 A. A degree or comparable experience, high<br/>13 school diploma. That's it.<br/>14 Q. You said "a degree or comparable<br/>15 experience." What does that mean? A degree in<br/>16 what?<br/>17 A. In -- basically a degree.<br/>18 Q. Such as your degree in business<br/>19 secretarial -- is that what your degree is?<br/>20 A. Yes. Mine is comparable service.<br/>21 Q. Understood. What do you do to prepare<br/>22 for any training?<br/>23 A. Before I go into the classroom, I<br/>24 review all my materials, make sure that I have my<br/>25 attendance sheets, et cetera, ready to go.</p>  | <p>1 Q. Who are the three who are on the law<br/>2 enforcement team?<br/>3 A. Myself, Karen Karl, and Brian Willman.<br/>4 Q. And among you three, is there any<br/>5 specialization or do you just have a rotation of who<br/>6 teaches which courses?<br/>7 A. We rotate.<br/>8 Q. Are these trainings recorded on video<br/>9 or audio?<br/>10 A. We do not record them.<br/>11 Q. Can you tell me what these trainings<br/>12 are like? Where do they take place? About how<br/>13 long?<br/>14 A. The courses are all -- on the St. Louis<br/>15 side would be from 9:00 to 4:00, and then on the<br/>16 Kansas City side, 8:30 to 3:30. Depending on the<br/>17 course itself, it can go from one day to two days.<br/>18 Q. I assume you don't train the entire<br/>19 police department at once, so how is it determined<br/>20 who takes, from the other side -- about how many<br/>21 officers at once are in the course?<br/>22 A. Our classroom holds 18. But if we're<br/>23 using like the county academy or the city academy,<br/>24 then they have more seats available, so you would do<br/>25 25. Kansas City is 38 seats.</p> |
| Page 34   | Page 36  |
| <p>1 Q. Are the materials the same as you may<br/>2 have used for a prior training, or do you work -- do<br/>3 you develop the materials that are then used in that<br/>4 training?<br/>5 A. If it's a new system, then they're<br/>6 developed. If it's the previous classes we've been<br/>7 teaching all along, I just check to make sure all my<br/>8 material is updated.<br/>9 Q. If it's a new training, about how much<br/>10 time do you spend reviewing the materials before<br/>11 going in and teaching the course?<br/>12 A. Oh, a new class? Months.<br/>13 Q. Yourself, months on a day-to-day basis<br/>14 learning the material?<br/>15 A. Yeah, testing the system, walking<br/>16 through it, yes.<br/>17 Q. How long -- or excuse me. Withdrawn.<br/>18 How is it determined who might lead any<br/>19 training? Is there a rotation?<br/>20 A. Yes, we have three people that are<br/>21 assigned to law enforcement and two people that are<br/>22 assigned to court, so they would normally -- they<br/>23 are participating in the law enforcement courses and<br/>24 the development of those courses and then the others<br/>25 would be in the court area.</p> | <p>1 Q. Now, do those 18 to 38 take the course<br/>2 and then they go back and train those others who<br/>3 weren't able to attend, or do they just -- you train<br/>4 them in installments?<br/>5 A. Both.<br/>6 Q. Does it depend on which course?<br/>7 A. No.<br/>8 Q. So then can you explain how both would<br/>9 apply to the answer to my question?<br/>10 A. The agency can do their own training or<br/>11 they can send them to class. So if they choose --<br/>12 you have to have -- once you receive your ID, you<br/>13 have six months to become certified. Certification<br/>14 would occur through training or on-job service and<br/>15 testing.<br/>16 Q. And what does it take to become a<br/>17 certified REJIS user?<br/>18 A. That would depend on your level that<br/>19 you are -- your security is set to.<br/>20 Q. Let's focus on the level 27.<br/>21 A. Level 27 would be two-day course.<br/>22 Q. Just take the course and then you're<br/>23 certified?<br/>24 A. The course and then the test.<br/>25 Q. Can you tell me a little bit about the</p>  |

9 (Pages 33 to 36)

CINDY JENNINGS 3/30/2017

| Page 37  | Page 39   |
|--|---|
| <p>1 test?</p> <p>2 A. Online test, varying degree of number</p> <p>3 of questions based on the course.</p> <p>4 <b>Q. All right. We'll talk about that in a</b></p> <p>5 <b>minute, but why don't we just focus on the two-day</b></p> <p>6 <b>course itself. What topics are covered?</b></p> <p>7 A. Which two-day course?</p> <p>8 <b>Q. So the two-day course that would then</b></p> <p>9 <b>lead to a level 27 certification.</b></p> <p>10 A. Okay. That would be a basic REJIS</p> <p>11 introduction. That would be followed by the hot</p> <p>12 file and then Department of Revenue and inlets</p> <p>13 driver history and vehicle registrations.</p> <p>14 <b>Q. Anything else?</b></p> <p>15 A. No.</p> <p>16 <b>Q. And then the exam would be on a</b></p> <p>17 <b>separate day?</b></p> <p>18 A. Same day at the end -- end of day two.</p> <p>19 <b>Q. About how many questions are on that</b></p> <p>20 <b>test?</b></p> <p>21 A. I believe 30.</p> <p>22 <b>Q. Mr. Meschke told us that your staff is</b></p> <p>23 <b>responsible for drafting the questions of that exam;</b></p> <p>24 <b>is that right?</b></p> <p>25 A. That is correct.</p>  | <p>1 stored for two years.</p> <p>2 MR. HOLLAND: Ray, I would ask if we</p> <p>3 could, you know, see a copy of the exams that have</p> <p>4 been provided over the last couple of years.</p> <p>5 MR. FLOJO: I'll discuss that with my</p> <p>6 witness and REJIS.</p> <p>7 BY MR. HOLLAND:</p> <p>8 <b>Q. So just so I understand the</b></p> <p>9 <b>certification process, the officers take this</b></p> <p>10 <b>two-day course and if they pass the test they then</b></p> <p>11 <b>have level 27 access to REJIS; is that fair?</b></p> <p>12 A. Once they have the user ID, yes.</p> <p>13 <b>Q. What if there are updates to REJIS</b></p> <p>14 <b>thereafter, do they have to recertify after any</b></p> <p>15 <b>period of time to, you know, take another test to</b></p> <p>16 <b>see -- to see if they're still qualified?</b></p> <p>17 A. Every two years.</p> <p>18 <b>Q. Each REJIS user every two years has to</b></p> <p>19 <b>take the exam -- a new exam and recertify; is that</b></p> <p>20 <b>correct?</b></p> <p>21 A. That is correct.</p> <p>22 <b>Q. What percentage, if any, of the</b></p> <p>23 <b>officers do not pass the -- the exam on their first</b></p> <p>24 <b>try?</b></p> <p>25 A. I don't know the number.</p> |
| Page 38  | Page 40   |
| <p>1 <b>Q. How do you come up with the questions?</b></p> <p>2 A. Looking at the material, determining</p> <p>3 what are the most important points that we want them</p> <p>4 to realize going out of that course.</p> <p>5 <b>Q. Has the exam changed at all since</b></p> <p>6 <b>you've been the training supervisor the last ten</b></p> <p>7 <b>years?</b></p> <p>8 A. Yes.</p> <p>9 <b>Q. About how many times has it changed?</b></p> <p>10 A. Well, we went from paper to automated</p> <p>11 and then it's a bank of questions and always</p> <p>12 changing the questions.</p> <p>13 <b>Q. So each year, or maybe after each</b></p> <p>14 <b>course, you do, you know, a review, maybe the manual</b></p> <p>15 <b>has been updated and maybe you look at the answers</b></p> <p>16 <b>of the officers and you kind of focus in on, you</b></p> <p>17 <b>know, what other questions might be, you know,</b></p> <p>18 <b>necessary; is that fair?</b></p> <p>19 A. Correct, that's fair.</p> <p>20 <b>Q. Do you keep copies of each of these</b></p> <p>21 <b>tests?</b></p> <p>22 A. Yes.</p> <p>23 <b>Q. Is that something we would be able to</b></p> <p>24 <b>look at?</b></p> <p>25 A. They're automated online. They're</p> | <p>1 <b>Q. Would you say that more pass the test</b></p> <p>2 <b>than fail?</b></p> <p>3 A. Yes.</p> <p>4 <b>Q. Do you know if there's a test to access</b></p> <p>5 <b>MULES or NCIC?</b></p> <p>6 A. Repeat that, please.</p> <p>7 <b>Q. Do you know if there's a similar or --</b></p> <p>8 <b>I don't want to say "similar." I don't want to</b></p> <p>9 <b>characterize it. Do you know if there is a test</b></p> <p>10 <b>that officers must take in order to access MULES or</b></p> <p>11 <b>NCIC?</b></p> <p>12 MR. HUGHES: Objection. Calls for</p> <p>13 speculation and conjecture.</p> <p>14 THE WITNESS: MULES, yes.</p> <p>15 BY MR. HOLLAND:</p> <p>16 <b>Q. Have you seen that test?</b></p> <p>17 A. Yes.</p> <p>18 <b>Q. Did it in any way inform how -- the</b></p> <p>19 <b>questions you drafted for the REJIS test?</b></p> <p>20 A. No.</p> <p>21 <b>Q. Would you say it's comparable to the</b></p> <p>22 <b>tests that you drafted for REJIS users?</b></p> <p>23 A. Yes.</p> <p>24 <b>Q. Same amount of questions?</b></p> <p>25 A. I don't remember.</p>  |

10 (Pages 37 to 40)

CINDY JENNINGS 3/30/2017

Page 41

1 **Q. So during this two-day test, about how**  
2 **much time is spent on wanteds?**  
3 A. Two-day class.  
4 **Q. Sorry, I misspoke. Withdrawn.**  
5 **During this two-day course, about how**  
6 **much time is spent on wanteds?**  
7 A. Could you be more specific what you  
8 mean by that?  
9 **Q. So we've talked a little bit this**  
10 **morning about the entries you can use within the**  
11 **REJIS system, correct?**  
12 A. Correct.  
13 **Q. One of those entries is wanteds?**  
14 A. Correct.  
15 **Q. How much of the training course to**  
16 **police officers to gain level 27 access is spent on**  
17 **wanteds?**  
18 A. I don't know the time but we go through  
19 every single file that they would get as a response  
20 and what each of those files, the information being  
21 returned means.  
22 **Q. So is this training -- as it relates to**  
23 **wanteds, is it more of technical in terms of the**  
24 **logistics and how to enter information, what**  
25 **information is needed to get that wanted sent out?**

Page 42

1 A. Not at all.  
2 **Q. So then can you explain to me --**  
3 **explain to me what you teach these officers about**  
4 **wanteds.**  
5 A. You teach them how to read the records.  
6 What data you input, what is being returned, and  
7 what is being returned you go through field by field  
8 explaining to them what those fields are and how to  
9 read those records.  
10 **Q. Do you train them on what information**  
11 **will be needed when they're calling into a clerk or**  
12 **REJIS operator about what they want added to the**  
13 **wanted entry?**  
14 A. Not in that course.  
15 **Q. Is there another course where that**  
16 **comes up?**  
17 A. It would be in the entry course as to  
18 what's required.  
19 **Q. Is the entry course part of that**  
20 **two-day course that we've been discussing or is that**  
21 **separate?**  
22 A. Separate.  
23 **Q. When does that happen? As it relates**  
24 **to that two-day course, does it happen before or**  
25 **does it happen then after they've gained access and**

Page 43

1 **been certified?**  
2 A. It happens after, and it would again be  
3 based on their certification level. What has their  
4 agency given them with regard to their security.  
5 **Q. So let me just see if I'm understanding**  
6 **you. There's a -- to gain level 27 access, officers**  
7 **take a two-day course followed by an exam. During**  
8 **that two-day course some amount of time is spent on**  
9 **wanteds but more about how to understand the**  
10 **information they're reading in each of the entries**  
11 **that are a part of that wanted; is that correct?**  
12 A. Part of the response.  
13 **Q. Part of the response.**  
14 A. Responses.  
15 **Q. Responses. The information in the**  
16 **wanted?**  
17 A. Is one of them.  
18 **Q. And then they pass the exam, they're**  
19 **certified, they're given a user ID, and then they**  
20 **have access to REJIS and at that point there's a**  
21 **separate course; is that right?**  
22 A. No.  
23 **Q. An intro course you said?**  
24 A. No.  
25 **Q. Well, then I'm confused, so please**

Page 44

1 **explain it to me.**  
2 A. Once -- once -- if they are assigned --  
3 if I am given -- my agency fills out an operator  
4 identification form. I'm a new officer, level 27.  
5 They complete the form. We create their user ID.  
6 If it is a new course, a recruit class that I'm  
7 teaching, I will go to the academy, one of the three  
8 academies, and I will teach the two-day course.  
9 At that point in time they are done,  
10 they are certified. I might see them again in two  
11 years or I might never see them again because  
12 they'll just test online.  
13 **Q. You mentioned this separate**  
14 **introductory course. That's what I'm wondering what**  
15 **that is.**  
16 A. That's -- the REJIS introduction is a  
17 one-day course that is added to that level 27. It's  
18 part of their course or it's taught separately.  
19 That's going to depend on what other courses you're  
20 taking.  
21 So if I'm, for example, a level 2  
22 operator, I'm going to take seven different courses,  
23 one of which is the REJIS introduction, one might be  
24 an inquiry, one would be an entry, et cetera.  
25 **Q. Okay. And within that introductory**

11 (Pages 41 to 44)

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CINDY JENNINGS 3/30/2017

| Page 45   | Page 47   |
|---|---|
| <p>1 <b>course, there's a section about the information</b></p> <p>2 <b>needed to have a wanted entered; is that correct?</b></p> <p>3 A. We explain each of the law enforcement</p> <p>4 files, what information is contained in that file,</p> <p>5 and, yes, they may ask me what is -- what fields you</p> <p>6 have, but I don't specifically say, "If you're going</p> <p>7 to create a wanted record, put these fields in."</p> <p>8 <b>Q. Do you train officers on when it is</b></p> <p>9 <b>appropriate to seek a wanted?</b></p> <p>10 A. No, I do not.</p> <p>11 <b>Q. If REJIS does not train officers on</b></p> <p>12 <b>when it is appropriate to seek a wanted, how does</b></p> <p>13 <b>REJIS know what fields are appropriate for a wanted</b></p> <p>14 <b>entry?</b></p> <p>15 A. That's in the database design.</p> <p>16 <b>Q. Who designed the database?</b></p> <p>17 A. Our programming staff.</p> <p>18 <b>Q. Where would they learn which fields are</b></p> <p>19 <b>appropriate to include?</b></p> <p>20 A. That would be from the agencies because</p> <p>21 we have committees or user groups that we work with.</p> <p>22 <b>Q. So the police department tells REJIS</b></p> <p>23 <b>what fields it needs for its wanted entries, your</b></p> <p>24 <b>programmers create that, and then the officers come</b></p> <p>25 <b>back and -- from The Police Academy training would</b></p> | <p>1 A. Not every single agency that uses</p> <p>2 REJIS, no.</p> <p>3 <b>Q. Representatives from the St. Louis</b></p> <p>4 <b>County Police Department?</b></p> <p>5 A. Depending on the application, yes.</p> <p>6 <b>Q. Which application would they be on a</b></p> <p>7 <b>user group for?</b></p> <p>8 A. I don't know specific ones they were</p> <p>9 on. I know that they participated in like our hot</p> <p>10 files.</p> <p>11 <b>Q. Can you just give me an explanation of</b></p> <p>12 <b>hot files?</b></p> <p>13 A. Hot files are what we consider</p> <p>14 information that the officer is going to get when</p> <p>15 they pull over a vehicle. Is the person wanted? Is</p> <p>16 the vehicle stolen? Is the person missing? Is the</p> <p>17 vehicle wanted or stolen? It's ...</p> <p>18 <b>Q. Can you give me an idea of have you</b></p> <p>19 <b>attended these user groups?</b></p> <p>20 A. Yes.</p> <p>21 <b>Q. Can you give me an idea of typical</b></p> <p>22 <b>discussion within a user group relating to the</b></p> <p>23 <b>wanted application?</b></p> <p>24 A. No, I can't.</p> <p>25 <b>Q. How often do those user group meetings</b></p>  |
| Page 46   | Page 48   |
| <p>1 <b>know what information to provide to complete the</b></p> <p>2 <b>fields that then result in a wanted; is that fair?</b></p> <p>3 MR. HUGHES: My only objection to the</p> <p>4 question is you said police department singular, and</p> <p>5 she just said agencies plural.</p> <p>6 BY MR. HOLLAND:</p> <p>7 <b>Q. Yes, I was speaking each police</b></p> <p>8 <b>department tells you which -- that's fair. Police</b></p> <p>9 <b>departments tell you which -- withdrawn.</b></p> <p>10 <b>So police departments tell REJIS which</b></p> <p>11 <b>fields are needed for a wanted entry, REJIS program</b></p> <p>12 <b>development creates that database, and then officers</b></p> <p>13 <b>come back and know which information to provide in</b></p> <p>14 <b>order to complete a wanted entry; is that fair?</b></p> <p>15 A. They do not tell us put this field and</p> <p>16 this field on every screen that we create for them.</p> <p>17 So we have what we call user groups that participate</p> <p>18 that we discuss if we're going to create a new</p> <p>19 application what elements do they want in that</p> <p>20 application.</p> <p>21 <b>Q. Who is -- who's on these user groups?</b></p> <p>22 A. It varies based on the application that</p> <p>23 we're designing.</p> <p>24 <b>Q. Representatives from each of the</b></p> <p>25 <b>agencies would be on these user groups?</b></p>    | <p>1 <b>happen?</b></p> <p>2 A. Depends on the application. I mean, we</p> <p>3 have a quarterly TAC meeting which is all our</p> <p>4 Terminal Agency Coordinators where we talk about new</p> <p>5 changes that are coming up, so all of our agencies</p> <p>6 are invited to those.</p> <p>7 We also have specific focus groups</p> <p>8 where we bring people in that are knowledgeable in</p> <p>9 that area. If I'm making a change to my gang file,</p> <p>10 I want gang officers to be a part of that</p> <p>11 discussion.</p> <p>12 <b>Q. You mentioned TAC, which I was going to</b></p> <p>13 <b>ask you about. Terminal Agency Coordinator meetings</b></p> <p>14 <b>occur; is that correct?</b></p> <p>15 A. Correct.</p> <p>16 <b>Q. Who attends -- a representative from</b></p> <p>17 <b>each agency attends those meetings?</b></p> <p>18 A. Not every meeting but they're required</p> <p>19 to attend at least two meetings.</p> <p>20 <b>Q. Can you tell me who the representative</b></p> <p>21 <b>from St. Louis County's Police Department --</b></p> <p>22 <b>withdrawn.</b></p> <p>23 <b>Can you tell me who the representative</b></p> <p>24 <b>on TAC was over the past five years from the</b></p> <p>25 <b>St. Louis County Police Department?</b></p> |

12 (Pages 45 to 48)

CINDY JENNINGS 3/30/2017

Page 49

1 A. Lieutenant Jeff Burk.

2 **Q. What was the purpose of these meetings?**

3 A. Our TAC meetings are to inform our

4 clients of system changes, new systems that we're

5 going to introduce, covering things that have

6 changed -- system changes since the last meeting,

7 and anything outside of the REJIS area, for example,

8 what's changed in MULES and NCIC that would also

9 affect them.

10 **Q. How do you learn about the changes from**

11 **MULES and NCIC so that you're able to inform your**

12 **clients?**

13 A. MULES would post it on their website,

14 their next test launch pad. We also are in

15 communications with the MULES trainers. And then

16 NCIC sends out a technical and operational update

17 and we get those.

18 **Q. Is it someone's job at REJIS to monitor**

19 **these websites and postings?**

20 A. All of the trainers' responsibilities.

21 **Q. You said you coordinate with trainers**

22 **at MULES. What does that entail? Do you meet with**

23 **them on a regular basis?**

24 A. Regular, we attend their TAC meetings.

25 They also have a TAC meeting and we attend -- they

Page 50

1 have those twice a year, and we attend those. And

2 then anytime something is changing in their system,

3 they will usually email us and say, "We are making a

4 change to our system, wanted to make you aware of

5 it," and then we talk to them about that change.

6 **Q. And at the MULES TAC meetings, do**

7 **representatives from agencies attend as well?**

8 A. Yes.

9 **Q. Was Lieutenant Burk the representative**

10 **from St. Louis County for those meetings as well?**

11 A. Yes.

12 **Q. You said those occurred twice a year.**

13 **How often were the REJIS TAC meetings? Did you say**

14 **quarterly?**

15 A. Quarterly.

16 **Q. Are you familiar with St. Louis County**

17 **Police Department's general orders or policies on**

18 **wanted and other teletypes?**

19 A. No, I'm not.

20 **Q. Do you -- strike that.**

21 **Let's take a look at some materials**

22 **that I understand REJIS created. This has**

23 **previously been marked as Gomez Exhibit 3.**

24 **(Previously marked Exhibit**

25 **Gomez 3 was shown to the**

Page 51

1 **witness.)**

2 BY MR. HOLLAND:

3 **Q. Are you familiar with this document?**

4 A. I am.

5 **Q. How so?**

6 A. My unit created it.

7 **Q. Do you know when you created it?**

8 A. I do not.

9 **Q. You said your unit. Were you**

10 **personally involved in drafting this document?**

11 A. My senior trainer actually developed

12 the document.

13 **Q. Who is that?**

14 A. Karen Karl.

15 **Q. And you said you don't know when it was**

16 **drafted?**

17 A. There's no date on this. I don't know.

18 **Q. That's why I asked. Do you know if**

19 **it's been updated since -- well, strike that.**

20 **Has this been in existence for the past**

21 **five years?**

22 A. Yes.

23 **Q. Ten years?**

24 A. No. This document you're having me

25 look at?

Page 52

1 **Q. Correct.**

2 A. No, it has not.

3 **Q. So this was created sometime in the**

4 **period after you became the training supervisor?**

5 A. Correct.

6 **Q. Do you know if it's been updated in**

7 **that time?**

8 A. Yes.

9 **Q. About how many times, if you know?**

10 A. I don't know.

11 **Q. How does your unit use this document?**

12 A. This is part of what we give out in our

13 wanted entry class. And it's published on our

14 extranet site.

15 **Q. You just said "wanted entry class."**

16 A. Uh-huh.

17 **Q. Is that different than what we've**

18 **discussed -- the classes we've discussed already?**

19 A. Different from the level 27?

20 **Q. Correct.**

21 A. Yes.

22 **Q. Can you tell me about the wanted entry**

23 **class.**

24 A. Wanted entry class is a single-day

25 class where we cover the entry of wanted and missing

13 (Pages 49 to 52)



CINDY JENNINGS 3/30/2017

| Page 53  | Page 55   |
|--|---|
| <p>1 persons.</p> <p>2 <b>Q. Who takes that course?</b></p> <p>3 A. Anyone that has access to wanted or</p> <p>4 missing entries.</p> <p>5 <b>Q. What level access would they have?</b></p> <p>6 A. That varies.</p> <p>7 <b>Q. Level 27?</b></p> <p>8 A. No.</p> <p>9 <b>Q. So level 27 access you would not take a</b></p> <p>10 <b>course where this is discussed?</b></p> <p>11 A. This document?</p> <p>12 <b>Q. Gomez Exhibit 3.</b></p> <p>13 A. No.</p> <p>14 <b>Q. Level 2 access you would?</b></p> <p>15 A. Yes.</p> <p>16 <b>Q. Now, the CARE operators, are they</b></p> <p>17 <b>level 2?</b></p> <p>18 A. CARE operators are level 55.</p> <p>19 <b>Q. What is level 55 access?</b></p> <p>20 A. 55 is they do not do arrest entry. So</p> <p>21 it's all inquiries and entries except arrests.</p> <p>22 <b>Q. So it would be all of these entries?</b></p> <p>23 A. That is correct.</p> <p>24 <b>Q. And by "these," I'm talking about</b></p> <p>25 <b>warrant records, temporary wanted records, wanted</b></p>   | <p>1 <b>Q. I guess the document is changed because</b></p> <p>2 <b>a decision has been made to change the designation;</b></p> <p>3 <b>is that fair?</b></p> <p>4 A. That's fair.</p> <p>5 <b>Q. So I guess I'm more interested in who</b></p> <p>6 <b>made that decision, if you know.</b></p> <p>7 A. To change from adding like contact and</p> <p>8 advise?</p> <p>9 <b>Q. Correct.</b></p> <p>10 A. That contact and advise was based on a</p> <p>11 decision by our Law Enforcement Policy Advisory</p> <p>12 Committee that we were going to add a contact and</p> <p>13 advise category. So once that change comes down,</p> <p>14 our programming staff makes the change, I update the</p> <p>15 documentation or Karen updates the documentation to</p> <p>16 correspond with that change.</p> <p>17 <b>Q. You said, "Law Enforcement Policy</b></p> <p>18 <b>Advisory Committee." Is that also referred to as</b></p> <p>19 <b>LEPAC?</b></p> <p>20 A. Correct.</p> <p>21 <b>Q. I'll ask you some questions about that</b></p> <p>22 <b>a little later.</b></p> <p>23 <b>At the TAC meeting, what would the</b></p> <p>24 <b>changes -- would this document and any changes</b></p> <p>25 <b>thereto be discussed after LEPAC has made certain</b></p>   |
| Page 54  | Page 56   |
| <p>1 <b>records, person of interest records, contact and</b></p> <p>2 <b>advise records?</b></p> <p>3 A. Correct.</p> <p>4 <b>Q. Was this document discussed at any of</b></p> <p>5 <b>the TAC meetings that you attended?</b></p> <p>6 A. Yes.</p> <p>7 <b>Q. How so?</b></p> <p>8 A. This was presented at the TAC meeting</p> <p>9 when changes were made from going from stop orders</p> <p>10 to persons of interest to adding a contact and</p> <p>11 advise.</p> <p>12 <b>Q. Who was involved in making those</b></p> <p>13 <b>decisions?</b></p> <p>14 A. Making the decisions about?</p> <p>15 <b>Q. Sorry, I spoke over you. You've been</b></p> <p>16 <b>great today. You haven't done it once. Go ahead,</b></p> <p>17 <b>I'm sorry.</b></p> <p>18 A. Making the decisions about?</p> <p>19 <b>Q. The changes you just mentioned, going</b></p> <p>20 <b>from stop order to person of interest, for example.</b></p> <p>21 A. Who made those changes?</p> <p>22 <b>Q. Correct. Who made those decisions?</b></p> <p>23 A. To change the document?</p> <p>24 <b>Q. Correct.</b></p> <p>25 A. I did.</p> | <p>1 <b>recommendations? I'm just trying to understand</b></p> <p>2 <b>what's discussed at these TAC meetings -- strike</b></p> <p>3 <b>that. I'll move on.</b></p> <p>4 <b>Do you then use this document during</b></p> <p>5 <b>your trainings?</b></p> <p>6 A. Yes.</p> <p>7 <b>Q. During the wanted entry class, what do</b></p> <p>8 <b>you -- what do you -- how do you use this during</b></p> <p>9 <b>those trainings?</b></p> <p>10 A. This is a document to support -- to</p> <p>11 help the client understand what's required, what's</p> <p>12 the differences between them. It's a little</p> <p>13 complicated, so it helps them kind of -- another</p> <p>14 tool that we use to help them clarify what's the</p> <p>15 difference between each one, where does it go, how</p> <p>16 does it affect them.</p> <p>17 <b>Q. Is it fair to say this is a tool for</b></p> <p>18 <b>the officers to know which interface to use in</b></p> <p>19 <b>certain -- in various circumstances they encounter?</b></p> <p>20 A. A tool for the officers?</p> <p>21 <b>Q. Yes, or is it fair to -- strike that.</b></p> <p>22 <b>Is it fair to say that this document is</b></p> <p>23 <b>a tool for users of REJIS to know which interface to</b></p> <p>24 <b>use in a certain situation?</b></p> <p>25 A. Yes, it could help them.</p> |

14 (Pages 53 to 56)

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CINDY JENNINGS 3/30/2017

| Page 57  | Page 59   |
|--|---|
| <p>1 <b>Q. Is it fair to say that the -- that</b></p> <p>2 <b>REJIS is the only interface that you can use in each</b></p> <p>3 <b>of these five scenarios?</b></p> <p>4 A. No.</p> <p>5 <b>Q. If we look at the document, so you</b></p> <p>6 <b>have -- I have five scenarios. I'm saying warrant</b></p> <p>7 <b>record, temporary wanted, wanted, person of</b></p> <p>8 <b>interest, contact and advise.</b></p> <p>9 <b>Am I correct that REJIS is the only</b></p> <p>10 <b>interface listed in the far-right column for each of</b></p> <p>11 <b>those entries?</b></p> <p>12 A. No, REJIS is not the only interface.</p> <p>13 <b>Q. For all five.</b></p> <p>14 A. For all five, yes.</p> <p>15 <b>Q. Would you agree that the only</b></p> <p>16 <b>difference between a warrant record and a wanted is</b></p> <p>17 <b>that a warrant record is court issued and a wanted</b></p> <p>18 <b>is police issued?</b></p> <p>19 A. Yes.</p> <p>20 <b>Q. So is it fair to say that NCIC and</b></p> <p>21 <b>MULES allow for a temporary wanted that does not</b></p> <p>22 <b>have court authority but views anything beyond</b></p> <p>23 <b>temporary as unnecessary because of the warrant</b></p> <p>24 <b>requirement?</b></p> <p>25 A. That's incorrect.</p> | <p>1 If a REJIS agency created the temporary</p> <p>2 wanted, it would go to MULES and NCIC based on the</p> <p>3 charge and checking the flag. I cannot speak on how</p> <p>4 a MULES agency creates the record, but it's not</p> <p>5 stored in the MULES system. They're stored -- I</p> <p>6 should say passed through to NCIC.</p> <p>7 <b>Q. So what's the difference between a</b></p> <p>8 <b>temporary wanted record and a wanted record then?</b></p> <p>9 A. A temporary wanted is going to be based</p> <p>10 on the severity of the charge and the extradition</p> <p>11 that the agency chooses to use.</p> <p>12 <b>Q. If the only difference between a wanted</b></p> <p>13 <b>and a warrant record is court issued versus police</b></p> <p>14 <b>issued, what's -- what's -- again, what's the</b></p> <p>15 <b>purpose of a wanted? Why wouldn't you just -- why</b></p> <p>16 <b>wouldn't the officer go get a warrant?</b></p> <p>17 MR. HUGHES: Objection. Calls for</p> <p>18 speculation and conjecture. Improper foundation.</p> <p>19 Argumentative.</p> <p>20 BY MR. HOLLAND:</p> <p>21 <b>Q. I'll withdraw the question.</b></p> <p>22 <b>What is REJIS's purpose for providing a</b></p> <p>23 <b>wanted option if there's also the warrant option?</b></p> <p>24 A. Our purpose is to allow the agencies to</p> <p>25 create records based on their policy or procedures.</p> |
| Page 58  | Page 60   |
| <p>1 <b>Q. How so?</b></p> <p>2 A. Persons of interest.</p> <p>3 <b>Q. I'm focusing on wanteds, so let's leave</b></p> <p>4 <b>person of interest and contact and advise out. So</b></p> <p>5 <b>you have -- the top three are warrant, temporary</b></p> <p>6 <b>wanted, and wanted.</b></p> <p>7 A. Okay.</p> <p>8 <b>Q. The first two MULES and NCIC allow</b></p> <p>9 <b>those entries, but the third, a straight wanted,</b></p> <p>10 <b>only REJIS allows; is that correct?</b></p> <p>11 A. Correct, using the term or file name</p> <p>12 "wanted," yes.</p> <p>13 <b>Q. Correct. So MULES and NCIC allow a</b></p> <p>14 <b>file named "temporary wanted," "wanted," for only 48</b></p> <p>15 <b>hours; is that correct?</b></p> <p>16 A. NCIC only. That's not correct for</p> <p>17 MULES.</p> <p>18 <b>Q. How so?</b></p> <p>19 A. MULES is a year -- they don't have --</p> <p>20 let me back up, please.</p> <p>21 MULES does not have a temporary wanted</p> <p>22 file. That is an NCIC file. The record would be</p> <p>23 created, based on the client, would it be a</p> <p>24 REJIS-created record or would a MULES agency create</p> <p>25 the record?</p>   | <p>1 <b>Q. So from REJIS's perspective there's a</b></p> <p>2 <b>wanted and a warrant record option because the</b></p> <p>3 <b>police agencies ask you to have those options</b></p> <p>4 <b>available?</b></p> <p>5 A. Correct.</p> <p>6 <b>Q. Have you ever heard that wanteds enable</b></p> <p>7 <b>officers to circumvent the warrant requirement?</b></p> <p>8 A. No.</p> <p>9 <b>Q. Do you agree with that statement?</b></p> <p>10 MR. HUGHES: Objection. Argumentative.</p> <p>11 MR. HOLLAND: If you know.</p> <p>12 THE WITNESS: I don't.</p> <p>13 BY MR. HOLLAND:</p> <p>14 <b>Q. You can put that aside.</b></p> <p>15 <b>Let's take a look at a few other</b></p> <p>16 <b>documents that I think you'll be familiar with. I'm</b></p> <p>17 <b>handing you what have previously been marked Gomez</b></p> <p>18 <b>Exhibit 16, 17, and 18.</b></p> <p>19 <b>(Previously marked Exhibits</b></p> <p>20 <b>Gomez 16-18 were shown to the</b></p> <p>21 <b>witness.)</b></p> <p>22 BY MR. HOLLAND:</p> <p>23 <b>Q. There you go.</b></p> <p>24 A. Thank you.</p> <p>25 <b>Q. Are you familiar with these documents?</b></p>   |

15 (Pages 57 to 60)

CINDY JENNINGS 3/30/2017

| Page 61   | Page 63   |
|---|---|
| <p>1 A. I am.</p> <p>2 <b>Q. More familiar than you'd like to be?</b></p> <p>3 <b>How are you familiar with these documents?</b></p> <p>4 A. These are the documents that we use to</p> <p>5 train wanted entry -- wanted missing person entries.</p> <p>6 <b>Q. So these are the materials used during</b></p> <p>7 <b>that wanted entry class that you just mentioned?</b></p> <p>8 A. Correct.</p> <p>9 <b>Q. Did you draft these documents?</b></p> <p>10 A. I did not.</p> <p>11 <b>Q. Do you know who did?</b></p> <p>12 A. I do.</p> <p>13 <b>Q. Who is that?</b></p> <p>14 A. Karen Karl.</p> <p>15 <b>Q. That's your senior trainer?</b></p> <p>16 A. That is.</p> <p>17 <b>Q. Is she responsible for initially</b></p> <p>18 <b>drafting these and any updates thereafter?</b></p> <p>19 A. She's responsible for drafting those</p> <p>20 documents.</p> <p>21 <b>Q. Have there been updates since she</b></p> <p>22 <b>drafted them?</b></p> <p>23 A. Yes.</p> <p>24 <b>Q. When did Karen first draft these</b></p> <p>25 <b>documents?</b></p>   | <p>1 <b>Q. Do you know when the previous version</b></p> <p>2 <b>would have been drafted?</b></p> <p>3 A. Not off the top of my head, I don't.</p> <p>4 <b>Q. If it exists do you think you still</b></p> <p>5 <b>have it?</b></p> <p>6 A. I don't know.</p> <p>7 <b>Q. Okay.</b></p> <p>8 A. I can't guarantee that.</p> <p>9 <b>Q. That's fair.</b></p> <p>10 <b>Let's take a look at -- well, strike</b></p> <p>11 <b>that.</b></p> <p>12 <b>Why don't you tell me how you use these</b></p> <p>13 <b>documents during your trainings during the wanted</b></p> <p>14 <b>entry class. Do you walk through page by page or do</b></p> <p>15 <b>you just kind of hand the document out and give them</b></p> <p>16 <b>an overview?</b></p> <p>17 A. The document gets handed out. When I</p> <p>18 teach it, I do not teach page by page. I teach from</p> <p>19 my experience in going through -- I use this as a</p> <p>20 reference guide, point out to the students where</p> <p>21 they need to go to make their notes, et cetera, but,</p> <p>22 no, I don't read line by line, page by page.</p> <p>23 <b>Q. And just to reclarify, the officers who</b></p> <p>24 <b>would have level 27 access do not take these</b></p> <p>25 <b>courses?</b></p>            |
| Page 62   | Page 64   |
| <p>1 A. I don't know the specific date.</p> <p>2 <b>Q. Since you've become training</b></p> <p>3 <b>supervisor?</b></p> <p>4 A. Oh, yes.</p> <p>5 <b>Q. Within the past five years?</b></p> <p>6 A. Yes.</p> <p>7 <b>Q. So the three documents I handed you</b></p> <p>8 <b>have three separate dates. If you look -- I don't</b></p> <p>9 <b>think it's on the cover, but if you turn the page in</b></p> <p>10 <b>the legend on the bottom, I believe Gomez Exhibit 17</b></p> <p>11 <b>updated 7/2014; do you see that?</b></p> <p>12 A. I do.</p> <p>13 <b>Q. Gomez Exhibit 16, updated January 2016;</b></p> <p>14 <b>do you see that?</b></p> <p>15 A. I do.</p> <p>16 <b>Q. And Gomez Exhibit 18, updated</b></p> <p>17 <b>January 2017, so earlier this year; do you see that?</b></p> <p>18 A. Yes, I do.</p> <p>19 <b>Q. Other than these three versions are you</b></p> <p>20 <b>aware of any others?</b></p> <p>21 A. There could be.</p> <p>22 <b>Q. Do you say that because the Gomez 17</b></p> <p>23 <b>updated 7/2014 suggests that a previous version</b></p> <p>24 <b>existed?</b></p> <p>25 A. Yes.</p> | <p>1 A. Correct. This course.</p> <p>2 <b>Q. This course. Excuse me. But the CARE</b></p> <p>3 <b>operators who are entering the information, they</b></p> <p>4 <b>would take this course?</b></p> <p>5 A. They could take the course.</p> <p>6 <b>Q. Could. Okay.</b></p> <p>7 <b>Who -- who's required to take the</b></p> <p>8 <b>wanted entry class, if anyone?</b></p> <p>9 A. No one is required to.</p> <p>10 <b>Q. Who makes the decision on whether they</b></p> <p>11 <b>take the course or not?</b></p> <p>12 A. Their agency.</p> <p>13 <b>Q. Is it fair to say that these manuals</b></p> <p>14 <b>are used for training people on how to use a system</b></p> <p>15 <b>that has legal ramifications such as inputting</b></p> <p>16 <b>information that could in and of itself lead to an</b></p> <p>17 <b>arrest?</b></p> <p>18 A. Just repeat it one more time, please.</p> <p>19 <b>Q. Is it fair to say that these manuals</b></p> <p>20 <b>are used to train people on how to use a system that</b></p> <p>21 <b>has legal ramifications such as inputting</b></p> <p>22 <b>information that could itself lead to a person's</b></p> <p>23 <b>arrest?</b></p> <p>24 A. That's correct.</p> <p>25 <b>Q. With that in mind, do you know if any</b></p> |

16 (Pages 61 to 64)

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CINDY JENNINGS 3/30/2017

| Page 65  | Page 67  |
|--|--|
| <p>1 <b>lawyers were involved in drafting these materials?</b></p> <p>2 A. They were not.</p> <p>3 <b>Q. Did you --</b></p> <p>4 A. In our training material?</p> <p>5 <b>Q. Correct.</b></p> <p>6 <b>Did you or Karen or any of your</b></p> <p>7 <b>other -- or anyone else at REJIS, were you advised</b></p> <p>8 <b>by any counsel about the ramifications of a wanted?</b></p> <p>9 A. No, we were not.</p> <p>10 <b>Q. Do any of the -- let me strike that.</b></p> <p>11 <b>Does the wanted entry course include</b></p> <p>12 <b>any training on probable cause?</b></p> <p>13 A. I don't know what you mean by "training</p> <p>14 on probable cause."</p> <p>15 <b>Q. Training on, you know, what amounts to</b></p> <p>16 <b>probable cause?</b></p> <p>17 A. No.</p> <p>18 <b>Q. Is there reference -- your question</b></p> <p>19 <b>sparked something in me. Is there references in</b></p> <p>20 <b>other ways to probable cause other than what it is?</b></p> <p>21 A. We would say -- if they're training,</p> <p>22 someone would say a wanted is based on probable</p> <p>23 cause or questioning. Could be a statement that you</p> <p>24 would make in that course.</p> <p>25 <b>Q. So it's mentioned in the course as a</b></p>  | <p>1 <b>Did I read that correctly?</b></p> <p>2 A. You did.</p> <p>3 <b>Q. And if we turn to Gomez Exhibit 18</b></p> <p>4 <b>which is the January 2017 version, and that's the</b></p> <p>5 <b>current version, correct? You're not aware of</b></p> <p>6 <b>anything updating within the past two months?</b></p> <p>7 A. Yes, I mean, this document has had one</p> <p>8 listed multiple times, and I don't think this is --</p> <p>9 <b>Q. Correct.</b></p> <p>10 A. No, this is not a good --</p> <p>11 <b>Q. Are you looking at Gomez Exhibit 18?</b></p> <p>12 A. I am, sir.</p> <p>13 <b>Q. So on the bottom there we've added --</b></p> <p>14 <b>so this was a document that Mr. Flojo provided us,</b></p> <p>15 <b>and on the bottom we've added Bates stamps DEF-SUPP;</b></p> <p>16 <b>do you see that?</b></p> <p>17 A. Yes, I do.</p> <p>18 <b>Q. So those are just identifiers so we can</b></p> <p>19 <b>all be on the same page in case pagination is either</b></p> <p>20 <b>missing or confusing. So if you go to the bottom of</b></p> <p>21 <b>where it says -- ends in 91 on the bottom right, I</b></p> <p>22 <b>think it's the next page. And you said that this is</b></p> <p>23 <b>the current version?</b></p> <p>24 A. I said it was not because if I'm</p> <p>25 looking at this, our page number goes 567911, so</p> |
| Page 66  | Page 68  |
| <p>1 <b>factor of a wanted, requirement of a wanted, but not</b></p> <p>2 <b>what it is; is that fair?</b></p> <p>3 A. Fair.</p> <p>4 <b>Q. And that's because you as trainers</b></p> <p>5 <b>don't have any legal background, so you're not</b></p> <p>6 <b>qualified to make that determination or teach on it;</b></p> <p>7 <b>is that fair?</b></p> <p>8 A. I have no legal background, correct.</p> <p>9 <b>Q. Let's take a look at page 4 of each of</b></p> <p>10 <b>these documents. Let's start with Gomez Exhibit 16.</b></p> <p>11 <b>So this is the updated January 2016</b></p> <p>12 <b>version, page 4. At the top there it says "Wanted</b></p> <p>13 <b>vs. Warrant - What's the difference?" Do you see</b></p> <p>14 <b>that?</b></p> <p>15 A. Yes.</p> <p>16 <b>Q. Is that something you cover in this</b></p> <p>17 <b>wanted entry class?</b></p> <p>18 A. Yes.</p> <p>19 <b>Q. And then the first record type listed</b></p> <p>20 <b>there is wanted. And it says, "Subject is wanted</b></p> <p>21 <b>for questioning. There is no warrant associated</b></p> <p>22 <b>with the record. The law enforcement officer</b></p> <p>23 <b>entering the wanted information must have probable</b></p> <p>24 <b>cause to believe that the person committed the crime</b></p> <p>25 <b>prior to entering a REJIS wanted on that person."</b></p> | <p>1 this is not -- I would say this is not the current</p> <p>2 document. It's page 1 multiple times.</p> <p>3 <b>Q. Yes, mine goes 56789 and then 11 as</b></p> <p>4 <b>well.</b></p> <p>5 A. So ...</p> <p>6 <b>Q. This is part of the reason why we added</b></p> <p>7 <b>these identifiers on the bottom right.</b></p> <p>8 A. So I wouldn't -- I would not guarantee</p> <p>9 that this is the current document.</p> <p>10 <b>Q. Well, I'll just ask you to coordinate</b></p> <p>11 <b>with Ray and try to see if you can find the current</b></p> <p>12 <b>document.</b></p> <p>13 A. Oh, I can find it.</p> <p>14 <b>Q. Thank you.</b></p> <p>15 <b>But just looking at page 4 of this</b></p> <p>16 <b>document, and understanding that it may not be the</b></p> <p>17 <b>current version, just in that same area we looked at</b></p> <p>18 <b>in the 2016 version, it reads the same paragraph,</b></p> <p>19 <b>correct, where the wanted record teletype or record</b></p> <p>20 <b>type is described?</b></p> <p>21 A. Correct.</p> <p>22 <b>Q. And then if we go to Gomez 17, page 4,</b></p> <p>23 <b>are you there?</b></p> <p>24 A. I am.</p> <p>25 <b>Q. In the same area it's a little bit</b></p>  |

17 (Pages 65 to 68)

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CINDY JENNINGS 3/30/2017

| Page 69   | Page 71  |
|---|--|
| <p>1 different. It says, "Record type: Wanted. The</p> <p>2 police are interested in questioning a subject prior</p> <p>3 to asking for a judge's order. Wanted records are</p> <p>4 maintained in REJIS but not MULES and NCIC."</p> <p>5 So my first question is the language</p> <p>6 regarding probable cause is -- is not in this 2014</p> <p>7 version; is that right?</p> <p>8 A. That is correct.</p> <p>9 Q. And my second question is, "Wanted</p> <p>10 records are maintained in REJIS but not MULES or</p> <p>11 NCIC"; what does that mean?</p> <p>12 A. That's not a correct statement. That</p> <p>13 would be wrong.</p> <p>14 Q. Wrong now or wrong even in July 2014?</p> <p>15 A. Wrong in July of 2014.</p> <p>16 Q. How so?</p> <p>17 A. In that MULES -- MULES and NCIC both</p> <p>18 accepted wanted records for felony offenses with</p> <p>19 state or partial extradition.</p> <p>20 Q. Do you think the discrepancy here is</p> <p>21 between wanteds and temporary wanteds or you just</p> <p>22 think this is wrong?</p> <p>23 A. This is wrong.</p> <p>24 Q. Do you know why the probable cause</p> <p>25 language was added to the 2016 version?</p> | <p>1 Q. Do you remember exactly when this</p> <p>2 happened?</p> <p>3 A. Not the exact date, no.</p> <p>4 Q. So after this change was made, was</p> <p>5 there a training that focused on this new language?</p> <p>6 A. It would be incorporated into the</p> <p>7 training and the screen change would have been</p> <p>8 discussed at our TAC meetings and possibly --</p> <p>9 probably a service announcement would have been sent</p> <p>10 that that change has been made.</p> <p>11 Q. What do you recall about the discussion</p> <p>12 at the TAC meeting?</p> <p>13 A. I don't recall.</p> <p>14 Q. Officers who were trained prior to this</p> <p>15 change being made, did they have to come back in for</p> <p>16 new training after the language was added to the</p> <p>17 manual?</p> <p>18 A. Officers, no. I mean, no one is</p> <p>19 required to come back in to train.</p> <p>20 Q. Strike that.</p> <p>21 Because this was not a required course</p> <p>22 to begin with?</p> <p>23 A. For an officer with level 21 -- 27</p> <p>24 access, you're correct.</p> <p>25 Q. You said it wasn't required for anyone.</p>  |
| Page 70   | Page 72  |
| <p>1 A. Why it was added?</p> <p>2 Q. So sometime between July 2014 and</p> <p>3 January 2016 a decision was made to add the probable</p> <p>4 cause language to the description of a wanted within</p> <p>5 this wanted entry manual. Do you know why that</p> <p>6 decision was made?</p> <p>7 A. LEPAC asked that it be placed in our</p> <p>8 documentation and on our entry screen.</p> <p>9 Q. Do you know who at LEPAC asked you to</p> <p>10 do that?</p> <p>11 A. LEPAC is a committee. Specifically</p> <p>12 who, I'm not involved in those meetings.</p> <p>13 Q. Who told you that the change had been</p> <p>14 made -- strike that.</p> <p>15 Who told you that the decision had been</p> <p>16 made to add probable cause language to the wanted</p> <p>17 entry manual?</p> <p>18 A. Our programming staff went through a</p> <p>19 change control.</p> <p>20 Q. Who specifically on the programming</p> <p>21 staff?</p> <p>22 A. I don't know that.</p> <p>23 Q. Did Marc Meschke tell you that that</p> <p>24 change had been made?</p> <p>25 A. He was not my director at that time.</p>   | <p>1 A. That's correct.</p> <p>2 Q. And you also mentioned an announcement</p> <p>3 might be sent out. Can you tell me more about that?</p> <p>4 A. With all of our system changes, we send</p> <p>5 out a service announcement where there's going to be</p> <p>6 changes that the people are going to see like a</p> <p>7 screen change or those kind of things. We send out</p> <p>8 our post send-out and post a service announcement.</p> <p>9 Q. Who receives that announcement?</p> <p>10 A. The REJIS TACs and agency heads.</p> <p>11 Q. So anybody who's a representative on</p> <p>12 TAC or an agency head receives that announcement?</p> <p>13 A. It's emailed to all of them.</p> <p>14 Q. So someone like Lieutenant Jeff Burk</p> <p>15 would have received that announcement?</p> <p>16 A. Should have.</p> <p>17 Q. Let's take a look at Gomez 17, page 24.</p> <p>18 Excuse me, I misspoke.</p> <p>19 Let's start with Gomez 16, page 24.</p> <p>20 And I didn't say it earlier, but you're free to take</p> <p>21 a break at any point if you need the bathroom. I'd</p> <p>22 just ask, you know, if a question is pending we wait</p> <p>23 until you answer the question.</p> <p>24 A. Sure.</p> <p>25 Q. So we're on Gomez 16, page 24. This is</p> |

18 (Pages 69 to 72)

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CINDY JENNINGS 3/30/2017

| Page 73   | Page 75  |
|---|--|
| <p>1 a 2016 version, and I think in our discussion a</p> <p>2 moment ago you talked about a screen change --</p> <p>3 A. Correct.</p> <p>4 Q. -- following this update to the manual.</p> <p>5 Is the screen change seen on this page?</p> <p>6 A. Yes.</p> <p>7 Q. Where is it?</p> <p>8 A. About the middle of the page in the</p> <p>9 kind of light gray area between "suppressed</p> <p>10 indictment" and "wanted message."</p> <p>11 Q. So the one that says, "Wanted entry.</p> <p>12 Subject is wanted for questioning. There's no</p> <p>13 warrant associated with the record. The law</p> <p>14 enforcement officer entering the wanted information</p> <p>15 must have probable cause to believe that the person</p> <p>16 committed the crime prior to entering a REJIS wanted</p> <p>17 on that person."</p> <p>18 A. Correct.</p> <p>19 Q. And that was added new in January 2016,</p> <p>20 correct?</p> <p>21 A. The --</p> <p>22 Q. Or excuse me. It's in the January 2016</p> <p>23 version, correct?</p> <p>24 A. Correct.</p> <p>25 Q. And if we look at Gomez 17, same page.</p>   | <p>1 change. That goes through three iterations of</p> <p>2 change control meetings so that we're all aware of</p> <p>3 what's being changed.</p> <p>4 And then our responsibility is then to</p> <p>5 update the clients the day the change takes place,</p> <p>6 notify them prior to, if necessary, and update our</p> <p>7 documentation.</p> <p>8 Q. So you're telling me hopefully on one</p> <p>9 end what's happening, but presumably before the</p> <p>10 programmer knows to make those changes and run the</p> <p>11 test, a decision has been made by someone to add</p> <p>12 that screen; is that fair?</p> <p>13 A. That's fair.</p> <p>14 Q. Do you know who was involved on that</p> <p>15 end making that decision to add the screen?</p> <p>16 A. To this change, LEPAC requested the</p> <p>17 change.</p> <p>18 Q. Do you know if there's a record of</p> <p>19 LEPAC's request of the change?</p> <p>20 A. I do not know that.</p> <p>21 Q. Mr. Meschke had told us that the reason</p> <p>22 for this change came from MULES. Do you -- is that</p> <p>23 your understanding as well?</p> <p>24 A. I was not at that meeting. I'm not</p> <p>25 sure.</p> |
| Page 74   | Page 76  |
| <p>1 This is the July 2014 version, page 24. Would you</p> <p>2 agree with me that that message is not on that page?</p> <p>3 A. That is correct.</p> <p>4 Q. So would you agree that it was added in</p> <p>5 the January 2016 version?</p> <p>6 A. It was present in the January 2016</p> <p>7 version.</p> <p>8 Q. Was it in any version prior to the</p> <p>9 January 2016 version that you know of?</p> <p>10 A. I don't know.</p> <p>11 Q. Do you recall this being something</p> <p>12 discussed as -- at one of your TAC meetings as being</p> <p>13 added to the manual?</p> <p>14 A. Not added to the manual, but it would</p> <p>15 have been a system change, so we would have showed</p> <p>16 them a screen shot and what the change was. We</p> <p>17 would not have issued them a new manual at that</p> <p>18 meeting.</p> <p>19 Q. But it was in addition to the screen</p> <p>20 that users who are entering a wanted would see?</p> <p>21 A. Correct.</p> <p>22 Q. Do you recall who told you that it</p> <p>23 would be added to the screen?</p> <p>24 A. No. It goes through what we call a</p> <p>25 change control process. So the programmer makes the</p> | <p>1 Q. So let's just focus in on this new</p> <p>2 screen. And who would be seeing this -- this</p> <p>3 screen?</p> <p>4 A. Anyone that has the capability to enter</p> <p>5 a wanted record.</p> <p>6 Q. So no officer with level 27 access</p> <p>7 would see this screen; is that fair?</p> <p>8 A. That's fair.</p> <p>9 Q. The person who determined whether</p> <p>10 there's probable cause would not be seeing this</p> <p>11 screen; is that fair?</p> <p>12 A. Person who -- that's fair.</p> <p>13 Q. So the person who's entering</p> <p>14 information would just be seeing a pop-up box</p> <p>15 warning them that in order for this wanted to be</p> <p>16 entered, the officer must have probable cause,</p> <p>17 correct?</p> <p>18 A. It's not a pop-up box. It's a one-page</p> <p>19 entry screen and --</p> <p>20 Q. That's fair, sorry for the</p> <p>21 characterization.</p> <p>22 So the person who's seeing this screen</p> <p>23 and having to click "Submit" for one of these four</p> <p>24 options is -- is not in a position to determine</p> <p>25 whether there's probable cause, correct?</p>  |

19 (Pages 73 to 76)

CINDY JENNINGS 3/30/2017

| Page 77   | Page 79  |
|---|--|
| <p>1 A. With based on their level of access?</p> <p>2 <b>Q. Let's say it's a CARE coordinator who's</b></p> <p>3 <b>entering the information to complete a wanted entry,</b></p> <p>4 <b>and they see this screen and they have to click</b></p> <p>5 <b>"Submit," "Reset," "Cancel," or "Help." They're not</b></p> <p>6 <b>qualified themselves to make a probable cause</b></p> <p>7 <b>determination, correct?</b></p> <p>8 A. I don't know if they are or aren't.</p> <p>9 <b>Q. Did you -- do you think this</b></p> <p>10 <b>represented a change in requirements for wanteds?</b></p> <p>11 MR. HUGHES: Objection. Calls for</p> <p>12 speculation and conjecture on her part.</p> <p>13 MR. FLOJO: Join.</p> <p>14 THE WITNESS: I don't understand the</p> <p>15 question.</p> <p>16 BY MR. HOLLAND:</p> <p>17 <b>Q. I'm just trying to understand what</b></p> <p>18 <b>purpose adding this screen served.</b></p> <p>19 A. Adding this wording to the screen?</p> <p>20 <b>Q. So this screen as we looked in the 2014</b></p> <p>21 <b>didn't include this message about wanteds requiring</b></p> <p>22 <b>probable cause, and in 2016 it did. Do you know</b></p> <p>23 <b>what the purpose for including it was?</b></p> <p>24 A. No, I do not know the background on</p> <p>25 that.</p> | <p>1 THE VIDEOGRAPHER: The time is 11:09.</p> <p>2 We're back on the record.</p> <p>3 BY MR. HOLLAND:</p> <p>4 <b>Q. Ms. Jennings, before we took a break</b></p> <p>5 <b>this morning we were talking about one issue that I</b></p> <p>6 <b>would like to try to clarify.</b></p> <p>7 <b>I asked you earlier about how entries</b></p> <p>8 <b>came to be within the -- focusing specifically on</b></p> <p>9 <b>wanteds, how they came to be, and I had asked you</b></p> <p>10 <b>whether REJIS created them or -- and I believe you</b></p> <p>11 <b>said that the agencies tell you which options or</b></p> <p>12 <b>entry fields to include and then the programmers go</b></p> <p>13 <b>about adding those fields and that's how it appears</b></p> <p>14 <b>in REJIS.</b></p> <p>15 <b>Is that an accurate description?</b></p> <p>16 A. Yes.</p> <p>17 <b>Q. So the agencies at their own -- at</b></p> <p>18 <b>their own place come up with what fields they want</b></p> <p>19 <b>to have included when their officers go and tell a</b></p> <p>20 <b>coordinator, whoever it might be, to enter a wanted.</b></p> <p>21 <b>REJIS programmers take that information, develop the</b></p> <p>22 <b>database, the screen, and run it through tests, and</b></p> <p>23 <b>then that's how it appears; is that correct?</b></p> <p>24 A. One way, yes.</p> <p>25 <b>Q. One way. Can you tell me each way that</b></p> |
| Page 78   | Page 80  |
| <p>1 <b>Q. Can you think of any good reason why it</b></p> <p>2 <b>was added?</b></p> <p>3 MR. HUGHES: Objection. It's</p> <p>4 overbroad.</p> <p>5 THE WITNESS: Again, as I said before,</p> <p>6 it was at the request of LEPAC.</p> <p>7 BY MR. HOLLAND:</p> <p>8 <b>Q. Did this new screen impact how you</b></p> <p>9 <b>trained CARE coordinators?</b></p> <p>10 A. Impact how I trained CARE coordinators?</p> <p>11 <b>Q. I'll strike the question.</b></p> <p>12 <b>Did this new screen impact the way you</b></p> <p>13 <b>took -- that you trained CARE coordinators who took</b></p> <p>14 <b>your wanted entry class?</b></p> <p>15 A. Not them specifically. I would explain</p> <p>16 it to all of the students who would take the class</p> <p>17 when that was placed down there and it's bold red</p> <p>18 and why it's there.</p> <p>19 MR. HOLLAND: Why don't we take a quick</p> <p>20 break and give the court reporter a chance to rest</p> <p>21 her fingers.</p> <p>22 THE WITNESS: Thank you.</p> <p>23 THE VIDEOGRAPHER: The time is 10:55.</p> <p>24 We are off the record.</p> <p>25 (Recess taken.)</p>  | <p>1 <b>it could happen?</b></p> <p>2 A. Other ways could be it would be a</p> <p>3 change that is mandated by NCIC that comes to us</p> <p>4 through the technical operational update. They</p> <p>5 would notify -- the Highway Patrol would be</p> <p>6 notified. They would notify us. So those kind of</p> <p>7 changes. Legislative changes would come in through</p> <p>8 that same process.</p> <p>9 <b>Q. So rather than speaking in</b></p> <p>10 <b>hypotheticals, let's talk about the current wanted</b></p> <p>11 <b>screen, the fields that you listed earlier as being</b></p> <p>12 <b>requirements. Those fields were told by the</b></p> <p>13 <b>agencies to REJIS that those are the ones that they</b></p> <p>14 <b>wanted included; is that fair?</b></p> <p>15 A. Wanted was before my time, the actual</p> <p>16 system creation, so I wouldn't swear to that.</p> <p>17 <b>Q. Your understanding?</b></p> <p>18 A. Yes.</p> <p>19 <b>Q. Who supervises the programmers at</b></p> <p>20 <b>REJIS?</b></p> <p>21 A. The director would be Eric Gorham.</p> <p>22 <b>Q. You mentioned earlier that when LEPAC</b></p> <p>23 <b>makes a recommendation or a decision is made at that</b></p> <p>24 <b>level, programmers are notified, whether it be the</b></p> <p>25 <b>wanted message addition, adding the probable cause</b></p>  |

20 (Pages 77 to 80)



CINDY JENNINGS 3/30/2017

Page 81

1 language, they run it through tests and eventually  
2 it comes to your team that these changes have been  
3 made.  
4 Is that a fair description of the  
5 process?  
6 A. One of the descriptions, yes.  
7 Q. So would Eric Gorham be somebody who  
8 would have learned from LEPAC that a decision had  
9 been made and then he tells his programmers what to  
10 do?  
11 A. For that situation?  
12 Q. (Nods head.)  
13 A. I don't know that.  
14 Q. I'm just trying to understand how a  
15 decision at LEPAC is coming to be known by REJIS, if  
16 you know.  
17 A. In LEPAC, you would have the general  
18 manager would be present -- could be present at the  
19 meeting, the director of client services could be  
20 present at the meeting, and the director of IT.  
21 So whichever meeting, I mean, there  
22 could be all three of them or one of those three.  
23 Someone from REJIS is in attendance at the LEPAC  
24 meeting because it's at our facility.  
25 Q. Who are those three individuals that

Page 82

1 you just referred to by title?  
2 A. Today?  
3 Q. The general manager.  
4 A. The general manager today is Daniel  
5 Isom.  
6 Q. How long has he been the general  
7 manager?  
8 A. Six weeks.  
9 Q. Who preceded him in that role?  
10 A. William Powell.  
11 Q. And how long was he the general  
12 manager?  
13 A. Eight years.  
14 Q. And the IT supervisor, is that another  
15 person you mentioned as attending the meetings?  
16 A. IT director.  
17 Q. IT director?  
18 A. Is Eric Gorham.  
19 Q. And how long has he held that role?  
20 A. At least ten years.  
21 Q. And the third role, who attends?  
22 A. Client services director which is  
23 currently Marc Meschke.  
24 Q. How long has he held that position?  
25 A. Since January 1st.

Page 83

1 Q. And who preceded him in that role?  
2 A. David Pudloski.  
3 Q. How long had David Pudloski been in  
4 that role?  
5 A. Ten years, I think.  
6 Q. So the individuals you just mentioned  
7 are the representatives from REJIS who would have  
8 been attending LEPAC meetings at any given meeting?  
9 A. Correct.  
10 Q. And they would have learned the  
11 decisions made by LEPAC and taken those -- taken  
12 those decisions back to REJIS and directed whoever  
13 needed to know what needed to happen?  
14 A. Correct. They would probably have  
15 created an issue in our incident system and then  
16 that issue would be assigned to the -- whatever team  
17 it is -- in this case the law enforcement team --  
18 and then they would work on that change.  
19 Q. Are those issues maintained by REJIS?  
20 A. The issues in our system?  
21 Q. Yes.  
22 A. Correct.  
23 Q. And that's something that we would be  
24 able to ask you to produce? It's still present  
25 within --

Page 84

1 A. We have a new incident-tracking system,  
2 so that would be a change prior to the new system.  
3 Q. But changes made in the old system  
4 still exist somewhere at REJIS?  
5 A. I don't know that.  
6 Q. Issues sent out by Powell or whoever  
7 else might have sent them out following a LEPAC  
8 decision?  
9 A. I don't know that.  
10 Q. Okay. You mentioned earlier TAC  
11 meetings. Are any records of those meetings kept,  
12 minutes?  
13 A. The agenda and the attendees but not  
14 minutes for the TAC meeting.  
15 Q. How about materials that are used  
16 during those meetings?  
17 A. The material is the agenda with its  
18 corresponding documentation, and then if anything  
19 else is presented at the meeting, that's sent out as  
20 an email.  
21 Q. And where are those materials  
22 maintained?  
23 A. In our office.  
24 Q. You -- are those stored somewhere that  
25 we would be able to view them?

21 (Pages 81 to 84)

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CINDY JENNINGS 3/30/2017

| Page 85   | Page 87   |
|---|---|
| <p>1 A. Yes.</p> <p>2 <b>Q. Would anybody else aside from you</b></p> <p>3 <b>attend the MULES TAC meetings?</b></p> <p>4 A. Yes.</p> <p>5 <b>Q. Who else?</b></p> <p>6 A. From REJIS?</p> <p>7 <b>Q. From REJIS.</b></p> <p>8 A. Myself or one of the other trainers or</p> <p>9 all of us. Just depends on who's available to</p> <p>10 attend.</p> <p>11 <b>Q. So just the training staff would attend</b></p> <p>12 <b>the MULES TAC meetings?</b></p> <p>13 A. Could or have?</p> <p>14 <b>Q. Would anybody aside from training at</b></p> <p>15 <b>REJIS attend the MULES TAC meetings?</b></p> <p>16 A. They could, yes. That allows you, if</p> <p>17 you attend their TAC meetings, that qualifies you to</p> <p>18 be -- to -- to be certified. So if I need my</p> <p>19 certification -- my certification with the MULES</p> <p>20 system is up -- I can attend that TAC meeting.</p> <p>21 So, yes, others from our staff could</p> <p>22 attend that meeting and have.</p> <p>23 <b>Q. Who else has?</b></p> <p>24 A. Lou Briggs -- the programming staff?</p> <p>25 Their names?</p>   | <p>1 A. Yes. For the two years.</p> <p>2 <b>Q. Do you mark down on these attendance</b></p> <p>3 <b>sheets who is recording the class by audio?</b></p> <p>4 A. No.</p> <p>5 <b>Q. Nobody videotapes these courses that</b></p> <p>6 <b>you're aware of?</b></p> <p>7 A. No.</p> <p>8 <b>Q. Aside from the manuals we've looked at</b></p> <p>9 <b>today, are there any other materials that you hand</b></p> <p>10 <b>out or PowerPoints that you use for these courses?</b></p> <p>11 A. Each instructor could have their own</p> <p>12 PowerPoint, yes. Or shared. It's on a common</p> <p>13 drive.</p> <p>14 <b>Q. And you maintain these materials after</b></p> <p>15 <b>the courses are done?</b></p> <p>16 A. Yes.</p> <p>17 <b>Q. For how long?</b></p> <p>18 A. Until they're updated or changed or no</p> <p>19 longer valid.</p> <p>20 <b>Q. Do you keep a list of the levels of</b></p> <p>21 <b>access that we talked about earlier?</b></p> <p>22 A. Yes.</p> <p>23 <b>Q. Is that something we would be able to</b></p> <p>24 <b>get?</b></p> <p>25 A. Yes.</p>                       |
| Page 86   | Page 88   |
| <p>1 <b>Q. How many people are there?</b></p> <p>2 A. I don't know everybody that's been, but</p> <p>3 I know that of the ones I've been, I believe Lou</p> <p>4 Briggs and John Brown have attended.</p> <p>5 <b>Q. And they're programmers?</b></p> <p>6 A. Yes.</p> <p>7 <b>Q. You mentioned earlier that the</b></p> <p>8 <b>trainings that you conduct are -- you do not record</b></p> <p>9 <b>them by video or audio.</b></p> <p>10 A. Correct.</p> <p>11 <b>Q. Does anyone record them by video or</b></p> <p>12 <b>audio?</b></p> <p>13 A. Audio, we have had people that will sit</p> <p>14 in class and record, yes.</p> <p>15 <b>Q. Just students?</b></p> <p>16 A. Yes.</p> <p>17 <b>Q. Do you know -- do you know anybody</b></p> <p>18 <b>specifically who did that?</b></p> <p>19 A. I don't recall their name. Not</p> <p>20 something regular that happens.</p> <p>21 <b>Q. You mentioned that -- when preparing</b></p> <p>22 <b>for class you make sure you have your attendance</b></p> <p>23 <b>sheet. Do you take attendance at every course?</b></p> <p>24 A. Yes.</p> <p>25 <b>Q. Do you keep the attendance sheets?</b></p> | <p>1 <b>Q. And does it have a description of the</b></p> <p>2 <b>type of access provided?</b></p> <p>3 A. Yes.</p> <p>4 <b>Q. How about a name -- a list with a name</b></p> <p>5 <b>and access level for each employee of the St. Louis</b></p> <p>6 <b>County Police Department? Is that something that</b></p> <p>7 <b>you keep?</b></p> <p>8 A. Ask one more time.</p> <p>9 <b>Q. So each -- each employee of the</b></p> <p>10 <b>St. Louis County Police Department who has access to</b></p> <p>11 <b>REJIS and is certified has a specific access level?</b></p> <p>12 A. Correct.</p> <p>13 <b>Q. Do you keep a list with their name and</b></p> <p>14 <b>corresponding access level?</b></p> <p>15 A. Yes.</p> <p>16 <b>Q. Is that something we would be able to</b></p> <p>17 <b>receive?</b></p> <p>18 A. Yes.</p> <p>19 MR. FLOJO: We'll discuss. You're</p> <p>20 really asking is it out there and is it available?</p> <p>21 MR. HOLLAND: Is it something that</p> <p>22 exists, correct.</p> <p>23 MR. FLOJO: Right.</p> <p>24 MR. HOLLAND: We would want to see</p> <p>25 that.</p> |

22 (Pages 85 to 88)

CINDY JENNINGS 3/30/2017

| Page 89   | Page 91   |
|---|---|
| <p>1 Q. One more thing I wanted to clarify was<br/>2 that you -- I was asking you earlier about whether<br/>3 you refer to or include probable cause with any of<br/>4 your courses, and you said you might mention that,<br/>5 to your students, that probable cause -- that<br/>6 wanteds require probable cause or questioning.<br/>7 So is that an accurate statement?<br/>8 A. Yes.<br/>9 Q. Did you include mentions of probable<br/>10 cause in your courses prior to the changes we<br/>11 discussed, the language that was added to the manual<br/>12 and the screen that was added to the -- or, excuse<br/>13 me -- the message that was added to the screen?<br/>14 A. Did I personally?<br/>15 Q. Yeah.<br/>16 A. Yes. I could have said that in my<br/>17 courses.<br/>18 Q. So as long as you've been teaching<br/>19 you've always mentioned that a wanted requires<br/>20 probable cause or questioning?<br/>21 A. Correct. Not every single class.<br/>22 Q. Something you could have said?<br/>23 A. Correct.<br/>24 Q. How did you know to mention that that<br/>25 was a requirement?</p>  | <p>1 awareness of what it is and any potential<br/>2 involvement.<br/>3 So what is LEPAC?<br/>4 A. Law Enforcement Policy Advisory<br/>5 Committee.<br/>6 Q. Who sits on the committee?<br/>7 A. Members of the law enforcement<br/>8 community from the police agencies, different<br/>9 jurisdictions.<br/>10 Q. Does REJIS have a member on the<br/>11 committee?<br/>12 A. We're the person of the committee. We<br/>13 don't vote but we host the committee. I mean, it's<br/>14 our, REJIS's, committee.<br/>15 Q. Do you remember when it was created?<br/>16 A. Prior to me. When I was the secretary<br/>17 I was the secretary for that committee, so it<br/>18 existed before I got there in '78.<br/>19 Q. Do you know if the Missouri Highway<br/>20 Patrol has a seat on the committee?<br/>21 A. They attend the meetings, yes.<br/>22 Q. St. Louis County Police Department?<br/>23 A. Yes, they're on the committee<br/>24 currently.<br/>25 Q. Do you know who their -- who their</p> |
| Page 90   | Page 92   |
| <p>1 A. Part of that is in the MULES<br/>2 messaging -- message that they send out, one of the<br/>3 documents that they had. It indicates probable<br/>4 cause or wanted for questioning, so we would include<br/>5 that -- on the documents that I've read would<br/>6 include that information, or if somebody<br/>7 specifically asked if that's what it means.<br/>8 Q. So you would have learned that from<br/>9 MULES, you're saying? From a MULES document?<br/>10 A. There is one MULES document that does<br/>11 have that, yes.<br/>12 Q. Are you thinking of a specific document<br/>13 that you have?<br/>14 A. I do have one, yes.<br/>15 MR. HOLLAND: We'd want to take a look<br/>16 at that as well.<br/>17 Q. When you say a wanted requires probable<br/>18 cause or questioning, what do you mean by "or<br/>19 questioning"?<br/>20 A. You say they're wanted for questioning<br/>21 or the officer has probable cause to believe that<br/>22 they have committed an offense.<br/>23 Q. So we've talked a lot about LEPAC<br/>24 today -- not a lot, but we've certainly mentioned<br/>25 it. And I want to get an understanding of your</p> | <p>1 representative on the committee is?<br/>2 A. I do not.<br/>3 Q. Do you know who it has been in the<br/>4 past?<br/>5 A. It's the chief of police.<br/>6 Q. Jon Belmar?<br/>7 A. Yes. He's the current chief.<br/>8 Q. Do you know if they have more than one<br/>9 representative on the committee or if they ever<br/>10 have?<br/>11 A. Not multiple representatives. Voting<br/>12 representatives?<br/>13 Q. Members.<br/>14 A. Or people that attend?<br/>15 Q. Members that attend.<br/>16 A. No, just one member that attends.<br/>17 Q. Have you ever personally attended a<br/>18 LEPAC meeting?<br/>19 A. I have.<br/>20 Q. When was that?<br/>21 A. In the '78 -- '79, '80, '81 when I was<br/>22 the secretary for them.<br/>23 Q. And your responsibility was to take<br/>24 minutes at these meetings?<br/>25 A. Yes, it was.</p>  |

23 (Pages 89 to 92)

CINDY JENNINGS 3/30/2017

| Page 93  | Page 95   |
|--|---|
| <p>1 <b>Q. Do any lawyers sit on LEPAC?</b></p> <p>2 A. I don't know what their -- the outside</p> <p>3 qualifications are. I mean, if the chief has also a</p> <p>4 law degree, I don't know that.</p> <p>5 <b>Q. But your understanding is that it's</b></p> <p>6 <b>representatives from the various law enforcement</b></p> <p>7 <b>agencies around the -- is it just St. Louis area?</b></p> <p>8 A. Kansas City also.</p> <p>9 <b>Q. So law enforcement agencies have</b></p> <p>10 <b>representatives from the area that uses REJIS that</b></p> <p>11 <b>sits on a committee?</b></p> <p>12 A. There are REJIS customers only, yes.</p> <p>13 <b>Q. Have you attended any meetings since</b></p> <p>14 <b>you've stopped being the secretary of LEPAC?</b></p> <p>15 A. I do not believe I have.</p> <p>16 <b>Q. Are you aware of the DOJ's</b></p> <p>17 <b>investigation into the Ferguson Police Department?</b></p> <p>18 A. Only through media.</p> <p>19 <b>Q. Are you aware that they issued a report</b></p> <p>20 <b>of their findings in March of 2015?</b></p> <p>21 A. Not the date, no.</p> <p>22 <b>Q. Are you aware that they issued a report</b></p> <p>23 <b>on their findings?</b></p> <p>24 A. Yes, I've heard.</p> <p>25 <b>Q. Have you reviewed the report?</b></p> | <p>1 questions on things she has not seen before? Would</p> <p>2 that be outside the scope of the notice?</p> <p>3 MR. HOLLAND: I'm just -- the topic is</p> <p>4 within the scope. I'm just going to ask her. If</p> <p>5 she can't answer the questions, she can't answer the</p> <p>6 questions.</p> <p>7 <b>Q. Have you ever seen LEPAC minutes of any</b></p> <p>8 <b>recent meetings?</b></p> <p>9 A. Yes.</p> <p>10 <b>Q. So the meeting occurs and you -- the</b></p> <p>11 <b>minutes of the meeting are distributed among REJIS</b></p> <p>12 <b>employees?</b></p> <p>13 A. No, they are not.</p> <p>14 <b>Q. How did you see REJIS -- or excuse</b></p> <p>15 <b>me -- LEPAC meeting minutes?</b></p> <p>16 A. Summaries are posted on the REJIS</p> <p>17 extranet.</p> <p>18 <b>Q. And one of your responsibilities as a</b></p> <p>19 <b>REJIS trainer is to stay up-to-date on -- by</b></p> <p>20 <b>reviewing those minutes?</b></p> <p>21 A. I do that as part of my awareness of my</p> <p>22 job.</p> <p>23 MR. HOLLAND: I'm going to show you</p> <p>24 what I'll mark as -- I think it is just 2, right?</p> <p>25 Jennings 2 and 3.</p> |
| Page 94  | Page 96   |
| <p>1 A. No, I have not.</p> <p>2 <b>Q. Did you receive any summary or</b></p> <p>3 <b>description of the report from anyone?</b></p> <p>4 A. No, I have not.</p> <p>5 <b>Q. Did you receive any guidance on how</b></p> <p>6 <b>trainings or policies or procedures at REJIS might</b></p> <p>7 <b>change as a result of the report?</b></p> <p>8 A. No, I have not.</p> <p>9 <b>Q. Did you -- do you understand or have</b></p> <p>10 <b>you understood that the report included a section on</b></p> <p>11 <b>wanted?</b></p> <p>12 A. No, I did not.</p> <p>13 <b>Q. I assume your answers to those</b></p> <p>14 <b>questions would be the same if I was talking about</b></p> <p>15 <b>the consent decree between the DOJ and Ferguson as</b></p> <p>16 <b>well?</b></p> <p>17 A. I don't know what that is.</p> <p>18 <b>Q. I'll put the bulky documents aside.</b></p> <p>19 A. Oh, okay.</p> <p>20 <b>Q. So I'm going to show you a couple</b></p> <p>21 <b>documents. I'm just going to ask you some</b></p> <p>22 <b>questions, and I understand you may not have seen</b></p> <p>23 <b>them before, but I just want to use them for</b></p> <p>24 <b>informational purposes, contextual purposes.</b></p> <p>25 MR. HUGHES: You're going to ask her</p>                               | <p>1 (Exhibits 2-3 were marked for</p> <p>2 identification.)</p> <p>3 BY MR. HOLLAND:</p> <p>4 <b>Q. Do you recall seeing these documents</b></p> <p>5 <b>previously?</b></p> <p>6 A. I have not seen the document.</p> <p>7 MR. HOLLAND: And I'll just mark these</p> <p>8 4.</p> <p>9 (Exhibit 4 was marked for</p> <p>10 identification.)</p> <p>11 MR. HOLLAND: And 5.</p> <p>12 (Exhibit 5 was marked for</p> <p>13 identification.)</p> <p>14 BY MR. HOLLAND:</p> <p>15 <b>Q. These are the minutes that correspond</b></p> <p>16 <b>with the LEPAC agenda items I handed you as 2 and 3.</b></p> <p>17 <b>Have you seen the minutes that I just handed you</b></p> <p>18 <b>from these two meetings?</b></p> <p>19 A. The minutes are before the agenda,</p> <p>20 though. Wait a minute, May 5th.</p> <p>21 <b>Q. So you should have --</b></p> <p>22 A. This is August 6th, May 5th, okay.</p> <p>23 I'm -- hold on a minute. I'm confused.</p> <p>24 <b>Q. I'll take that one back.</b></p> <p>25 A. Which one?</p>   |

24 (Pages 93 to 96)

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|  |  |
|--|--|
| <p style="text-align: right;">Page 97</p> <p>1       <b>Q. May 5th.</b></p> <p>2       A. May 5th?</p> <p>3       <b>Q. This is the one you should have. Here</b></p> <p>4 <b>you go.</b></p> <p>5       A. No, this is the same -- I'm sorry, this</p> <p>6 is the same -- I have two of the same copy now.</p> <p>7       <b>Q. So you're missing August 6th?</b></p> <p>8       A. Yes, sir.</p> <p>9       <b>Q. There it is. That's the confusion.</b></p> <p>10      A. Okay. So you want 4 back or 5?</p> <p>11      <b>Q. I'll take 4 back. Sorry about that.</b></p> <p>12      MR. HUGHES: What exhibit is this?</p> <p>13      MR. FLOJO: Is this 4?</p> <p>14      MR. HOLLAND: It's 4.</p> <p>15      <b>Q. So you now have the agenda item and</b></p> <p>16 <b>minutes for the May 7th, 2015, meeting and the</b></p> <p>17 <b>agenda item and minutes for the August 6th, 2015,</b></p> <p>18 <b>meeting of LEPAC; is that correct?</b></p> <p>19      A. Correct.</p> <p>20      <b>Q. Have you seen the minutes for these two</b></p> <p>21 <b>meetings previously?</b></p> <p>22      A. No, I have not.</p> <p>23      <b>Q. I'd just ask you one question about the</b></p> <p>24 <b>August 6th, 2015, agenda item.</b></p> <p>25      A. Okay.</p>   | <p style="text-align: right;">Page 99</p> <p>1       the minutes. It's not the meeting minutes. It's a</p> <p>2       summary of the minutes that's posted.</p> <p>3       <b>Q. So if you didn't see this document,</b></p> <p>4 <b>perhaps you saw a summary of these two meetings?</b></p> <p>5       A. Could have been a summary of the</p> <p>6       meetings, yes. That's what's on the extranet.</p> <p>7       <b>Q. Since we don't have those summaries I'm</b></p> <p>8 <b>going to ask you to bear with me and I'm going to</b></p> <p>9 <b>ask you some questions from the minutes possibly,</b></p> <p>10 <b>and you can let me know if you can answer those</b></p> <p>11 <b>questions; is that fair?</b></p> <p>12      A. Yes.</p> <p>13      MR. HOLLAND: I'll move along. You can</p> <p>14      put those aside. I'm going to hand you what has</p> <p>15      previously been marked Gomez Exhibit 24.</p> <p>16      (Previously marked Exhibit</p> <p>17      Gomez 24 was shown to the</p> <p>18      witness.)</p> <p>19      BY MR. HOLLAND:</p> <p>20      <b>Q. Are you familiar with this document?</b></p> <p>21      A. I am not.</p> <p>22      <b>Q. I understand this to be a</b></p> <p>23 <b>REJIS-generated report. Does this look like</b></p> <p>24 <b>something that could be generated out of the REJIS</b></p> <p>25 <b>database?</b></p>   |
| <p style="text-align: right;">Page 98</p> <p>1       <b>Q. It says, "Lieutenant Jeff Burk</b></p> <p>2 <b>subsequently recommended that REJIS add comments to</b></p> <p>3 <b>the REJIS 'Wanted's' training manual that would state</b></p> <p>4 <b>that the initiating officer/agency must have</b></p> <p>5 <b>probable cause that the person committed the crime</b></p> <p>6 <b>prior to entering a REJIS Wanted entry."</b></p> <p>7       <b>Had you ever heard that Lieutenant Jeff</b></p> <p>8 <b>Burk was the individual who made that</b></p> <p>9 <b>recommendation?</b></p> <p>10      A. I did not.</p> <p>11      <b>Q. Do you remember at all receiving any</b></p> <p>12 <b>documents or summaries explaining the differences</b></p> <p>13 <b>between a wanted and a person of interest at the end</b></p> <p>14 <b>of last year, end of 2016?</b></p> <p>15      A. A document?</p> <p>16      <b>Q. So did you ever see a summary</b></p> <p>17 <b>circulated or posted on a LEPAC database explaining</b></p> <p>18 <b>the differences between a wanted and a person of</b></p> <p>19 <b>interest?</b></p> <p>20      A. No.</p> <p>21      <b>Q. So all of the minutes of LEPAC's</b></p> <p>22 <b>meeting are available on a publicly -- publicly</b></p> <p>23 <b>available database, or do you have to have certain</b></p> <p>24 <b>rights to access it?</b></p> <p>25      A. It's our intranet and it's a summary of</p> | <p style="text-align: right;">Page 100</p> <p>1       A. I don't know that.</p> <p>2       <b>Q. Does REJIS maintain data on wanteds</b></p> <p>3 <b>that are issued?</b></p> <p>4       A. Maintain data on wanteds? What do you</p> <p>5       mean by "maintain data"?</p> <p>6       <b>Q. So if we look at this document, in the</b></p> <p>7 <b>upper left corner it says, "Wanted/Stop Orders</b></p> <p>8 <b>Issued," and then the second column is "Year," and</b></p> <p>9 <b>then the third column is "Month," and the fourth</b></p> <p>10 <b>column is "Number of Charges," and you see</b></p> <p>11 <b>"Records."</b></p> <p>12       <b>Does REJIS maintain the number of</b></p> <p>13 <b>wanted's that are issued in any given month within a</b></p> <p>14 <b>year, the number of charges maintained or included</b></p> <p>15 <b>within each wanted? Is that something that REJIS</b></p> <p>16 <b>maintains, that type of data?</b></p> <p>17      A. We'd have the number of records by</p> <p>18      month. I'm not aware that we keep track of the</p> <p>19      number of charges on that record.</p> <p>20      <b>Q. In your capacity as training</b></p> <p>21 <b>supervisor, are you familiar with the type of data</b></p> <p>22 <b>that REJIS maintains relating to specific wanted's?</b></p> <p>23      A. We keep the whole entire record but we</p> <p>24      don't just go out and say, "Here's how many" -- we</p> <p>25      don't send something out that says, "Here's how many</p> |

25 (Pages 97 to 100)

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| Page 101   | Page 103  |
|--|---|
| <p>1 charges you have in the system."</p> <p>2 <b>Q. I'm not saying it's being sent out;</b></p> <p>3 <b>it's just stored within REJIS. So if you wanted</b></p> <p>4 <b>to -- you know, oh, I wonder how many, you know,</b></p> <p>5 <b>females have been issued wanteds, you know, in</b></p> <p>6 <b>January of 2011, you can type it into REJIS and it</b></p> <p>7 <b>pops up, oh, there it is. There's the number.</b></p> <p>8 A. No, you can't do that. It would be a</p> <p>9 report that would have to be requested.</p> <p>10 <b>Q. But if you requested that report,</b></p> <p>11 <b>that's something that could be generated?</b></p> <p>12 A. Possibly, yes. If it's a field that's</p> <p>13 captured on the record in the database then, yeah,</p> <p>14 you can pull it back out.</p> <p>15 <b>Q. And I understand that you're a training</b></p> <p>16 <b>supervisor, so maybe you're not well schooled in</b></p> <p>17 <b>the -- all the IT and all that kind of stuff; is</b></p> <p>18 <b>that fair?</b></p> <p>19 A. Fair.</p> <p>20 <b>Q. Who would be the right person if I</b></p> <p>21 <b>wanted to -- if I wanted a report that listed how</b></p> <p>22 <b>many wanteds in each year, how many of those wanteds</b></p> <p>23 <b>resulted in arrests, how many of those arrests or</b></p> <p>24 <b>how long the person was held while arrested, and</b></p> <p>25 <b>then whether any warrants or criminal charges were</b></p> | <p>1 <b>be generated by REJIS that shows how many wanteds,</b></p> <p>2 <b>how many led to arrests, how long that person was</b></p> <p>3 <b>held while arrested, how many of those wanteds --</b></p> <p>4 <b>how many of any wanteds led to an actual warrant</b></p> <p>5 <b>being issued and/or criminal charges being brought,</b></p> <p>6 <b>if I wanted that report, who do I call?</b></p> <p>7 A. The REJIS help desk.</p> <p>8 <b>Q. Who do I ask Ray to get that report</b></p> <p>9 <b>from?</b></p> <p>10 MR. HUGHES: You know, if I can object.</p> <p>11 You know, Marc Meschke was already produced and he</p> <p>12 was questioned already. And then there was one or</p> <p>13 two questions where he said it would be training, it</p> <p>14 would be Cindy Jennings.</p> <p>15 MR. HOLLAND: Mike, the actual record</p> <p>16 of Marc Meschke shows that he said this is a report</p> <p>17 that he could probably produce in two to three</p> <p>18 hours, and we haven't received it. We received</p> <p>19 this, so I was trying to talk to her about this.</p> <p>20 I'm fully aware of what Mr. Meschke</p> <p>21 testified to. It's now been almost two months since</p> <p>22 his deposition and we don't have anything, so I'm</p> <p>23 trying to figure out what we need to do to get it;</p> <p>24 is that fair?</p> <p>25 <b>Q. And maybe Mr. Meschke is the right</b></p> |
| Page 102   | Page 104  |
| <p>1 <b>brought.</b></p> <p>2 <b>If that's a report that I thought might</b></p> <p>3 <b>exist, who would be the right person at REJIS to</b></p> <p>4 <b>ask, A, does that exist; and, B, can you do it for</b></p> <p>5 <b>me?</b></p> <p>6 A. The call -- the procedures we follow is</p> <p>7 that the person would call the REJIS help desk.</p> <p>8 They would create an issue and they would assign</p> <p>9 that to level 2, because they couldn't answer --</p> <p>10 they couldn't pull that report out.</p> <p>11 So that would come to level 2 which</p> <p>12 would be my division or training unit. I would look</p> <p>13 at that ticket and say, "This is not something that</p> <p>14 I do," and I would assign it to the applications</p> <p>15 team.</p> <p>16 <b>Q. Who at the applications team would you</b></p> <p>17 <b>ask to do it?</b></p> <p>18 A. I don't ask them. I assign it to a</p> <p>19 queue.</p> <p>20 <b>Q. Who is on the applications team?</b></p> <p>21 A. All of our developers.</p> <p>22 <b>Q. Who are your developers?</b></p> <p>23 A. Everybody's name?</p> <p>24 <b>Q. I'm just -- you can see where I'm</b></p> <p>25 <b>going. I'm asking -- if, say, I want this report to</b></p>  | <p>1 <b>person, but would you say that you're not the right</b></p> <p>2 <b>person?</b></p> <p>3 A. I'm not the right person.</p> <p>4 <b>Q. Then we can move on.</b></p> <p>5 MR. FLOJO: For the record, I haven't</p> <p>6 received a subpoena for that particular type of</p> <p>7 report or anything like that. Deposition happened,</p> <p>8 yes, it was talked about, but then I haven't</p> <p>9 received any requests or anything further from that</p> <p>10 deposition.</p> <p>11 MR. HOLLAND: We'll make the request</p> <p>12 now on the record. We can discuss if we need to</p> <p>13 issue a subpoena, then we'll do that.</p> <p>14 <b>Q. Let's walk through one wanted entry</b></p> <p>15 <b>relevant to this case and see what I can learn from</b></p> <p>16 <b>you about it.</b></p> <p>17 A. We're done with this page?</p> <p>18 <b>Q. We're done with that one, yes.</b></p> <p>19 A. Okay.</p> <p>20 MR. HOLLAND: Let me show you what has</p> <p>21 been marked Plaintiffs' 2 from the Meschke</p> <p>22 deposition.</p> <p>23 (Previously marked Exhibit</p> <p>24 Meschke 2 was shown to the</p> <p>25 witness.)</p>  |

26 (Pages 101 to 104)

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Page 105

1 BY MR. HOLLAND:  
2 **Q. I'm only going to ask you about --**  
3 **let's see. The -- the last page on the back. Can**  
4 **you tell me what this document is?**  
5 A. This is the full display of a wanted  
6 person stop order from the REJIS system.  
7 **Q. So this is a stop order and it's from**  
8 **the REJIS system, but down on the bottom it says,**  
9 **"MULES only." What does that mean? If you see**  
10 **there three lines up from the bottom, "Case cleared**  
11 **MULES only." What does that mean?**  
12 A. "Case cleared MULES only" is because  
13 the record was not in NCIC, it was strictly in REJIS  
14 and MULES. And when the record was canceled, we  
15 send the cancellation to MULES and it says it's  
16 cleared out of MULES only; it was never in NCIC.  
17 **Q. Was it cleared out of REJIS?**  
18 A. Yes. If you look at the line above  
19 that you'll see the field that is labeled -- you see  
20 what I'm talking about? It starts with "LC" right  
21 above the line you read, 4052 line.  
22 **Q. I do.**  
23 A. To the right of that you'll see the  
24 letter "CN."  
25 **Q. What does that stand for?**

Page 106

1 A. "CN" stands for canceled. That would  
2 be the date, the time, and the user ID of the person  
3 that canceled the record, which is stamped by the  
4 system, not the user.  
5 **Q. What is "LC"? Is that locate?**  
6 A. "LC" stands for locate.  
7 **Q. So this is a screen that an officer**  
8 **with level 27 access would view if they're out in**  
9 **their car and they punch in --**  
10 A. No, sir, they would not.  
11 **Q. Okay.**  
12 A. Because this record is canceled.  
13 **Q. Understood.**  
14 A. You don't see a canceled as -- on that  
15 level of access that they have.  
16 **Q. Is it canceled -- so as soon as a stop**  
17 **order is canceled, does it immediately disappear**  
18 **from the system?**  
19 A. It does not disappear. Depending on  
20 the format that you are using and your level of  
21 access, you can still see canceled records.  
22 **Q. What level of access would you have to**  
23 **have to still see canceled records?**  
24 A. Many different levels.  
25 **Q. We'll figure that out once we see the**

Page 107

1 **list.**  
2 A. You'll see the -- yes.  
3 **Q. Why is this referred -- if this is a**  
4 **REJIS document, why is it referred to as a stop**  
5 **order?**  
6 A. When the agency created the record  
7 through the REJIS system they chose the button  
8 labeled "Stop Order," and that creates this entry.  
9 **Q. Does anywhere on here show you who**  
10 **created this entry?**  
11 A. Yes, it does.  
12 **Q. Where is that?**  
13 A. If you'd go above the line we  
14 previously talked about, that "LC" line.  
15 **Q. Uh-huh.**  
16 A. Directly above that you see the letters  
17 "EN." "EN" tells you the date, time, and who  
18 entered the record into the system.  
19 **Q. Is that person the officer or the CARE**  
20 **coordinator?**  
21 A. Sir, I don't know who that is.  
22 **Q. So whoever created this record chose**  
23 **stop order instead of wanted or any of the other**  
24 **teletypes that are available?**  
25 A. Correct.

Page 108

1 **Q. Can you give me any reasons why they**  
2 **would do that? Why not just put wanted?**  
3 A. The -- as I look at the record, I see  
4 that the charge is a felony and they're asking to go  
5 partial which means that they wanted it outside of  
6 the REJIS system, so they would have chosen a stop  
7 order.  
8 **Q. Where are you seeing partial?**  
9 A. If you go -- if you look at the line  
10 where it says "Social Security Number" with the  
11 blackout.  
12 **Q. I see that.**  
13 A. Go to the line underneath of that. It  
14 says "Charges."  
15 **Q. Yep.**  
16 A. Okay. "Felony wanted. Statutory  
17 sodomy, first, under 14 years of age. EXT," and  
18 right underneath that is the letter "P."  
19 **Q. Yes.**  
20 A. That's the extradition and how far they  
21 will extradite.  
22 **Q. "P" is partial?**  
23 A. Yes, sir.  
24 **Q. What levels of extradition exist?**  
25 A. There are ten different levels

27 (Pages 105 to 108)

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| Page 109  | Page 111  |
|---|---|
| <p>1 depending on the severity of the charge that you can<br/>2 choose.</p> <p>3 <b>Q. What does "partial" mean?</b></p> <p>4 A. Partial means that you must indicate<br/>5 how many miles or counties you will go to apprehend<br/>6 that person.</p> <p>7 <b>Q. Is that on here somewhere?</b></p> <p>8 A. If you go to the next line underneath<br/>9 the "Charge" line you'll see it says "RMK."</p> <p>10 <b>Q. What does that mean?</b></p> <p>11 A. Remarks. And in the charge remarks<br/>12 they would put the miles or counties that they would<br/>13 extradite. In this case adjacent counties.</p> <p>14 <b>Q. So any counties adjacent to St. Louis</b><br/>15 <b>County --</b></p> <p>16 A. Yes.</p> <p>17 <b>Q. -- would be able to see this when --</b><br/>18 <b>before it was canceled?</b></p> <p>19 A. I answered too prematurely. That would<br/>20 be any agency in the State of Missouri could have<br/>21 seen this record because it is MULES qualified.<br/>22 They would only act on the record if they were in<br/>23 any county that surrounded St. Louis.</p> <p>24 <b>Q. Understood. Thank you for that.</b><br/>25 <b>So down at the last line it talks about</b></p>  | <p>1 A. The purpose?</p> <p>2 <b>Q. Why not just purge it completely? It's</b><br/>3 <b>been canceled.</b></p> <p>4 A. The record -- so that the agency has a<br/>5 way to validate the reasons why that record was<br/>6 taken out of existence is why we keep them longer so<br/>7 that they know why the record is gone. It did not<br/>8 meet its end of life.</p> <p>9 <b>Q. Maybe I just don't understand it, but</b><br/>10 <b>can an officer enter a wanted into REJIS while also</b><br/>11 <b>parallel entering a stop order into MULES for the</b><br/>12 <b>same suspect, same charges?</b></p> <p>13 A. Well, are you asking a REJIS customer?</p> <p>14 <b>Q. Somebody is a REJIS customer and a</b><br/>15 <b>MULES customer. They enter a wanted into REJIS</b><br/>16 <b>while also entering a stop order into MULES. Is</b><br/>17 <b>that something that's possible?</b></p> <p>18 A. No, if you're a REJIS customer, you're<br/>19 a REGIS customer; if you're a MULES customer, you're<br/>20 a MULES customer.</p> <p>21 <b>Q. I see.</b></p> <p>22 A. If you're dual, then you can only enter<br/>23 into one of those. So we have agencies that are<br/>24 dual that are in fact REJIS and MULES clients but<br/>25 they're going to either enter into MULES and only</p> |
| Page 110  | Page 112  |
| <p>1 <b>a purge date. What is that?</b></p> <p>2 A. Once a record is canceled from the<br/>3 REJIS system, it is then purged, meaning it's<br/>4 removed, and there are only two special transactions<br/>5 that you can do to pull this record back.</p> <p>6 <b>Q. So prior to being canceled, the stop</b><br/>7 <b>order here would be viewable by, you know, somebody</b><br/>8 <b>with level 27 access?</b></p> <p>9 A. Yes.</p> <p>10 <b>Q. After canceled it's not viewable by</b><br/>11 <b>somebody with level 27 access but it is still</b><br/>12 <b>viewable by somebody with a certain level of access</b><br/>13 <b>that, you know, there might be too many now to</b><br/>14 <b>talk -- to list them all?</b></p> <p>15 A. Correct.</p> <p>16 <b>Q. And then after that 30-day canceled</b><br/>17 <b>period, there's a -- it's purged and only a very</b><br/>18 <b>special level of access allows you to pull that back</b><br/>19 <b>and view it?</b></p> <p>20 A. I wouldn't call it special, but there<br/>21 are levels of access that allow you to view purged<br/>22 records.</p> <p>23 <b>Q. What's the purpose of, you know,</b><br/>24 <b>keeping it for 30 days after it's canceled and then</b><br/>25 <b>even keeping it somewhere after it's purged?</b></p> | <p>1 into MULES or they're going to enter into REJIS and<br/>2 only into REJIS and then we pass the data along.</p> <p>3 <b>Q. Do you know if the St. Louis County</b><br/>4 <b>Police Department is a dual member?</b></p> <p>5 A. They were a dual agency, yes.</p> <p>6 <b>Q. But at any one time an officer who</b><br/>7 <b>wants to enter one of these teletype records has to</b><br/>8 <b>choose between the two?</b></p> <p>9 A. That's not correct. They're only dual<br/>10 agency in that they enter their order protections<br/>11 directly through the MULES system. That's the only<br/>12 thing that they do direct MULES.</p> <p>13 <b>Q. So if you're a dual member you have to</b><br/>14 <b>use REJIS for your wanteds?</b></p> <p>15 A. No, you can choose to be one or the<br/>16 other.</p> <p>17 <b>Q. But once you choose that's the one you</b><br/>18 <b>use?</b></p> <p>19 A. Yes.</p> <p>20 <b>Q. And is the choice made at a department</b><br/>21 <b>level or at an officer level?</b></p> <p>22 A. Oh, no, department level.</p> <p>23 <b>Q. So the St. Louis County Police</b><br/>24 <b>Department if they're a dual member if they choose</b><br/>25 <b>REJIS, then their officers must use REJIS; is that</b></p>   |

28 (Pages 109 to 112)

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CINDY JENNINGS 3/30/2017

| Page 113   | Page 115   |
|--|--|
| <p>1 correct?</p> <p>2 A. Correct.</p> <p>3 <b>Q. Do you know how many members are dual</b></p> <p>4 <b>members?</b></p> <p>5 A. Not a specific number.</p> <p>6 <b>Q. Would you say of the dual members more</b></p> <p>7 <b>choose REJIS or more choose MULES?</b></p> <p>8 A. Of the dual agencies, do they choose to</p> <p>9 enter into REJIS? I guess I need a little --</p> <p>10 <b>Q. You told me that if you're a dual</b></p> <p>11 <b>member, you have the choice of which one you want to</b></p> <p>12 <b>use, MULES or REJIS. But once you choose, that's</b></p> <p>13 <b>the one you have to use, correct?</b></p> <p>14 A. To do your entries.</p> <p>15 <b>Q. To do your entries. That's what I'm</b></p> <p>16 <b>talking about. Correct?</b></p> <p>17 A. Yes, correct.</p> <p>18 <b>Q. So of the dual members do you know if</b></p> <p>19 <b>more choose REJIS for their entries or MULES for</b></p> <p>20 <b>their entries?</b></p> <p>21 A. More choose REJIS.</p> <p>22 <b>Q. Do you know a percentage of the</b></p> <p>23 <b>breakdown?</b></p> <p>24 A. No.</p> <p>25 <b>Q. Ballpark?</b></p>  | <p>1 <b>or isn't active? Is there a button they click? Do</b></p> <p>2 <b>they tell them over the phone?</b></p> <p>3 A. When you're validating?</p> <p>4 <b>Q. Right.</b></p> <p>5 A. The officer is not validating the</p> <p>6 record.</p> <p>7 <b>Q. Who is validating the record?</b></p> <p>8 A. That's normally going to be the person</p> <p>9 with the access to validate that record. The agency</p> <p>10 is to back up as part of their validation to say</p> <p>11 that it's complete, accurate, and still outstanding.</p> <p>12 The process would be if it was a</p> <p>13 warrant, you'd contact the prosecutor and the court;</p> <p>14 if it's a wanted, you would contact the officer to</p> <p>15 verify that that wanted is -- still should be in</p> <p>16 existence.</p> <p>17 <b>Q. And that's the validation --</b></p> <p>18 A. That's part of the validation process.</p> <p>19 <b>Q. So you contact the officer by phone</b></p> <p>20 <b>or --</b></p> <p>21 A. We don't. The agency validates their</p> <p>22 own records. We present them the records to be</p> <p>23 validated.</p> <p>24 <b>Q. And are wanteds, have they always been</b></p> <p>25 <b>routinely validated?</b></p> |
| Page 114   | Page 116   |
| <p>1 A. No.</p> <p>2 <b>Q. Can you tell me a little bit about the</b></p> <p>3 <b>validation process relating to wanteds?</b></p> <p>4 A. Yes.</p> <p>5 <b>Q. Who -- who -- just give me a</b></p> <p>6 <b>description of the -- of what the validation process</b></p> <p>7 <b>entails.</b></p> <p>8 A. Validation, we send the agency -- I</p> <p>9 guess depending on the time frame you're talking</p> <p>10 about, it is now done electronically. The agency is</p> <p>11 notified via email that they have a report on the</p> <p>12 extranet. They go out to the extranet and it will</p> <p>13 give them a listing of all the records that are</p> <p>14 required to be validated that month.</p> <p>15 Their process for validation is that</p> <p>16 they must confirm that the record is complete,</p> <p>17 accurate, and still outstanding. They mark the</p> <p>18 record as being validated, and then they don't see</p> <p>19 that record again for another year as long as it's</p> <p>20 active.</p> <p>21 <b>Q. How can they tell if it's active?</b></p> <p>22 A. How can they tell?</p> <p>23 <b>Q. That's the purpose of the wanted,</b></p> <p>24 <b>right, for the officer to confirm whether it's</b></p> <p>25 <b>active or not? How do they inform REJIS that it is</b></p> | <p>1 A. Yes.</p> <p>2 <b>Q. What would be routine? Every 90 days?</b></p> <p>3 A. No. Records are validated the first</p> <p>4 time when they are between 60 and 90 days' old and</p> <p>5 then annually thereafter as long as it's active.</p> <p>6 MR. HOLLAND: I'm going to show you</p> <p>7 what I'll mark as Jennings Exhibit 6.</p> <p>8 (Exhibit 6 was marked for</p> <p>9 identification.)</p> <p>10 BY MR. HOLLAND:</p> <p>11 <b>Q. And these LEPAC agenda items and</b></p> <p>12 <b>meeting minutes that I'm showing you were produced</b></p> <p>13 <b>to us recently by defendants in this action.</b></p> <p>14 MR. HUGHES: This is, I'm sorry,</p> <p>15 exhibit what?</p> <p>16 MR. HOLLAND: Six.</p> <p>17 MR. HUGHES: CJ6.</p> <p>18 MR. FLOJO: Jennings 6.</p> <p>19 MR. HUGHES: Jennings 6. Cindy</p> <p>20 Jennings 6.</p> <p>21 MR. FLOJO: I think it's actually just</p> <p>22 Jennings 6, but that's ...</p> <p>23 BY MR. HOLLAND:</p> <p>24 <b>Q. Have you ever seen this document</b></p> <p>25 <b>before?</b></p>  |

29 (Pages 113 to 116)

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CINDY JENNINGS 3/30/2017

| Page 117   | Page 119  |
|--|---|
| <p>1 A. No, sir.</p> <p>2 <b>Q. If you look at the bottom paragraph on</b></p> <p>3 <b>the first page, understanding that you haven't seen</b></p> <p>4 <b>this document, it's just an issue that I wanted to</b></p> <p>5 <b>ask you about given your familiarity with</b></p> <p>6 <b>validation.</b></p> <p>7 <b>It reads, "At the time wanted records</b></p> <p>8 <b>were also being presented for validation. Since</b></p> <p>9 <b>then the online validation process has been</b></p> <p>10 <b>implemented and only MULES qualified warrants and</b></p> <p>11 <b>Stop Order records are routinely presented for</b></p> <p>12 <b>validation."</b></p> <p>13 A. Uh-huh.</p> <p>14 <b>Q. Does that mean that wanteds were not</b></p> <p>15 <b>routinely presented for validation?</b></p> <p>16 A. After this date?</p> <p>17 <b>Q. After the online validation process was</b></p> <p>18 <b>implemented.</b></p> <p>19 A. This is pre- --</p> <p>20 <b>Q. This is dated November 2012. At some</b></p> <p>21 <b>time around that period online validation process</b></p> <p>22 <b>had been implemented and it suggests that MULES --</b></p> <p>23 <b>only MULES-qualified warrants and stop order records</b></p> <p>24 <b>are routinely presented for validation.</b></p> <p>25 <b>So I'm just wondering does that suggest</b></p> | <p>1 <b>Q. Do you see the last line says, "REJIS</b></p> <p>2 <b>does not require local only wanteds be validated"?</b></p> <p>3 A. Yes, I do.</p> <p>4 <b>Q. Why was that?</b></p> <p>5 A. Why did we not require them to be</p> <p>6 validated? I don't know that.</p> <p>7 <b>Q. Basically you were leaving it up to the</b></p> <p>8 <b>agency to decide whether they wanted to validate</b></p> <p>9 <b>their wanteds or not?</b></p> <p>10 A. Their local only records, correct.</p> <p>11 <b>Q. So for records that REJIS did not</b></p> <p>12 <b>require to be validated, how would that validation</b></p> <p>13 <b>process be initiated?</b></p> <p>14 A. I don't know.</p> <p>15 <b>Q. Do you know if that's still true today</b></p> <p>16 <b>that REJIS does not require local only wanteds to be</b></p> <p>17 <b>validated?</b></p> <p>18 A. That is correct.</p> <p>19 <b>Q. Are wanteds ever automatically removed</b></p> <p>20 <b>from REJIS?</b></p> <p>21 A. When they meet their purge criteria,</p> <p>22 depending on the severity of the charge.</p> <p>23 <b>Q. Based on the time period?</b></p> <p>24 A. Correct.</p> <p>25 <b>Q. So whether they're active or not,</b></p>                        |
| Page 118   | Page 120  |
| <p>1 <b>to you that other -- other entries, teletypes of</b></p> <p>2 <b>that sort were not routinely presented for</b></p> <p>3 <b>validation?</b></p> <p>4 A. I'm not sure where you see it says</p> <p>5 "online."</p> <p>6 <b>Q. It's on the bottom paragraph of the</b></p> <p>7 <b>first page.</b></p> <p>8 A. Since then (reading ...) okay. And I'm</p> <p>9 sorry, could you repeat your question to me?</p> <p>10 <b>Q. That suggests to me that aside from</b></p> <p>11 <b>MULES-qualified warrants and stop order records, the</b></p> <p>12 <b>others are not routinely presented for validation.</b></p> <p>13 A. Unless the agency chooses to have us</p> <p>14 send them to them. That's the agency makes that</p> <p>15 decision if they want their wanted records sent out</p> <p>16 as part of their validation process.</p> <p>17 <b>Q. So I guess my follow-up question may be</b></p> <p>18 <b>the same answer. Do you have the May 7th, 2015,</b></p> <p>19 <b>LEPAC agenda item? I'm guessing it might be</b></p> <p>20 <b>Jennings 2 or 3. That's it there in front of you,</b></p> <p>21 <b>the Jennings 2.</b></p> <p>22 A. Yes, sir.</p> <p>23 <b>Q. There's a paragraph that starts in bold</b></p> <p>24 <b>"Current Situation."</b></p> <p>25 A. Okay.</p>   | <p>1 <b>they'll be removed at some point depending on the</b></p> <p>2 <b>severity of the charge and the time period?</b></p> <p>3 A. Correct.</p> <p>4 <b>Q. What is a locate or detainer?</b></p> <p>5 A. They're two different things. A locate</p> <p>6 is when an agency other than the agency that entered</p> <p>7 the record, if we'll talk about a person, stops that</p> <p>8 person, they confirm the record with the originating</p> <p>9 agency. Their next step is to place a locate on it.</p> <p>10 And it's really a reconfirmation of</p> <p>11 what you discussed in the hit confirmation. Yes,</p> <p>12 the record is valid. What are you going -- what do</p> <p>13 you want us to do with that, in this case, an</p> <p>14 individual? What would be next step?</p> <p>15 <b>Q. Did you provide training on that?</b></p> <p>16 A. On the locates, that's part of the</p> <p>17 wanted entry class, vehicle entry class, missing</p> <p>18 person.</p> <p>19 MR. HOLLAND: I'll show you what I'll</p> <p>20 mark Jennings Exhibit 7.</p> <p>21 (Exhibit 7 was marked for</p> <p>22 identification.)</p> <p>23 BY MR. HOLLAND:</p> <p>24 <b>Q. Do you recognize this document?</b></p> <p>25 A. I do.</p> |

30 (Pages 117 to 120)

CINDY JENNINGS 3/30/2017

| Page 121  | Page 123   |
|---|--|
| <p>1 <b>Q. Is this part of the same course</b></p> <p>2 <b>material that would be used with the manuals we saw</b></p> <p>3 <b>earlier, the wanted entry class?</b></p> <p>4 A. Yes, it is.</p> <p>5 <b>Q. So that class would -- you'd hand out</b></p> <p>6 <b>the wanted entry manual and this locate/detainer</b></p> <p>7 <b>document?</b></p> <p>8 A. Yes.</p> <p>9 <b>Q. If you turn to page 2.</b></p> <p>10 A. Mine are all page 6.</p> <p>11 <b>Q. Sorry, physical number 2. So if we go</b></p> <p>12 <b>past the cover page the bottom right says "05/2010,"</b></p> <p>13 <b>so May 2010; do you see that?</b></p> <p>14 A. Yes, I do.</p> <p>15 <b>Q. If I recall correctly, all the other</b></p> <p>16 <b>manuals we went through were January 2014 -- or</b></p> <p>17 <b>excuse me -- July 2014, January 2016, and</b></p> <p>18 <b>January 2017, the wanted entry manuals we looked at</b></p> <p>19 <b>earlier; does that sound right?</b></p> <p>20 A. Sounds right.</p> <p>21 <b>Q. So would this suggest to you that there</b></p> <p>22 <b>is a corresponding wanted entry manual for May 2010</b></p> <p>23 <b>that should exist?</b></p> <p>24 A. Not necessarily May. I mean, it would</p> <p>25 be a document -- we create documents based on the</p> | <p>1 MR. FLOJO: Join.</p> <p>2 BY MR. HOLLAND:</p> <p>3 <b>Q. Is it -- did you ever -- was it</b></p> <p>4 <b>confusing for users?</b></p> <p>5 A. Locates and detainers?</p> <p>6 <b>Q. Right.</b></p> <p>7 A. Very confusing.</p> <p>8 <b>Q. How so?</b></p> <p>9 A. Well, detainer, especially because when</p> <p>10 a detainer is -- you have the wanted entry. A</p> <p>11 wanted record. The person could be apprehended by</p> <p>12 another agency and they place a locate on that</p> <p>13 record.</p> <p>14 Once a record is located, how long it</p> <p>15 lives after it's been located varies on what happens</p> <p>16 to that record next. And one of the procedures that</p> <p>17 was introduced is that if you place a detainer on</p> <p>18 the record, that would allow record that's in locate</p> <p>19 status to live in the system longer.</p> <p>20 The confusing part for many of the</p> <p>21 clients is that the detainer is not put on the</p> <p>22 record by the agency that located the body but the</p> <p>23 agency that owns the record.</p> <p>24 <b>Q. So can you walk me through the process?</b></p> <p>25 <b>So one agency, let's say the St. Louis County Police</b></p> |
| Page 122  | Page 124   |
| <p>1 need, so if we had a change in procedures and change</p> <p>2 of how locates worked or detainers would be</p> <p>3 introduced or we were teaching it and felt like the</p> <p>4 students needed further instructions, we would</p> <p>5 create another document to go along with that.</p> <p>6 And that could be the case here. I</p> <p>7 don't know. I'd have to go back and look and see do</p> <p>8 I have a May 2010, and it doesn't make a</p> <p>9 one-to-one --</p> <p>10 <b>Q. That's fair.</b></p> <p>11 <b>Sometime, give or take around this time</b></p> <p>12 <b>period, do you think you did a wanted entry manual</b></p> <p>13 <b>course?</b></p> <p>14 A. Course?</p> <p>15 <b>Q. You'd have to check?</b></p> <p>16 A. Taught a course?</p> <p>17 <b>Q. Yeah.</b></p> <p>18 A. I'd have to look.</p> <p>19 <b>Q. That's fair.</b></p> <p>20 <b>Going back to the cover page, it says,</b></p> <p>21 <b>"Locate/Detainer. When on earth do I use them?"</b></p> <p>22 <b>It seems like kind of a curious</b></p> <p>23 <b>subtitle for a training document in a government</b></p> <p>24 <b>agency.</b></p> <p>25 MR. HUGHES: Object as argumentative.</p>  | <p>1 <b>Department, issues a wanted.</b></p> <p>2 A. Correct.</p> <p>3 <b>Q. The locate is made by the St. Charles</b></p> <p>4 <b>County Police Department.</b></p> <p>5 A. The procedure would be St. Charles</p> <p>6 County would -- let's say the officer would run that</p> <p>7 person. They would come back with a hit. That</p> <p>8 officer would then be required, either their</p> <p>9 dispatch or themselves, to send a hit confirmation to</p> <p>10 St. Louis County as the originator of the record.</p> <p>11 <b>Q. How would -- let me stop you there.</b></p> <p>12 <b>How would they send that hit confirmation?</b></p> <p>13 A. A button on the screen. A button on</p> <p>14 the screen --</p> <p>15 <b>Q. This is all within REJIS?</b></p> <p>16 A. Within REJIS.</p> <p>17 <b>Q. In their car possibly?</b></p> <p>18 A. Possibly. But let me back up because</p> <p>19 you used the agency as St. Charles County, and</p> <p>20 St. Charles County Sheriff is not a REJIS customer.</p> <p>21 <b>Q. Poor choice by me.</b></p> <p>22 A. So let's say that it was St. Louis</p> <p>23 County and Bridgeton.</p> <p>24 <b>Q. Sure.</b></p> <p>25 A. Okay? So St. Louis County has the</p>  |

31 (Pages 121 to 124)

CINDY JENNINGS 3/30/2017

| Page 125  | Page 127  |
|---|---|
| <p>1 person that is wanted. The Bridgeton officer either</p> <p>2 calls into dispatch or runs it from their vehicle.</p> <p>3 They receive the hit that that person is wanted.</p> <p>4 Before they take any action, they're required to</p> <p>5 send a confirmation to the agency, so Bridgeton</p> <p>6 would send the confirmation.</p> <p>7 They press a button on the screen. The</p> <p>8 button fills out the hit confirmation saying it's</p> <p>9 sending it to St. Louis County. Here's the</p> <p>10 description of the individual, and then St. Louis</p> <p>11 County would receive that hit confirmation.</p> <p>12 They would then do a hit confirmation</p> <p>13 response back letting Bridgeton know, yes, that</p> <p>14 person is still wanted; no, they're not. Yes,</p> <p>15 there's a warrant; no, there's not. Whatever it is.</p> <p>16 And then the next step that Bridgeton</p> <p>17 would take is they would place a locate on the</p> <p>18 St. Louis County record. The locate would tell them</p> <p>19 are you going to extradite them? Are you not going</p> <p>20 to extradite them? Are you detaining them on your</p> <p>21 own charges?</p> <p>22 Once that locate is placed, depending</p> <p>23 on what they decide, then the next step would be to</p> <p>24 place a detainer on that record. So if they said --</p> <p>25 Bridgeton said, "I'm going to detain them on my</p> | <p>1 minutes, ten additional minutes, and that agency</p> <p>2 chooses to send a third request, that is also sent</p> <p>3 to St. Louis County, the state system, and NCIC. At</p> <p>4 that point it's that agency who stopped them, in</p> <p>5 this case Bridgeton's decision whether to let that</p> <p>6 person go or not.</p> <p>7 <b>Q. And if they haven't heard from</b></p> <p>8 <b>St. Louis County they -- are they unable to confirm</b></p> <p>9 <b>whether it's active or not? So then after 30</b></p> <p>10 <b>minutes it's up to them whether to take the person</b></p> <p>11 <b>into custody?</b></p> <p>12 A. They wouldn't take them into custody</p> <p>13 after that 30 minutes because they have not</p> <p>14 confirmed that that is a valid record. A computer</p> <p>15 entry is taught it is lead information only. You</p> <p>16 don't take action on that entry until you confirm</p> <p>17 the status with the originating agency.</p> <p>18 <b>Q. Understood. And you mentioned at one</b></p> <p>19 <b>point "the rules." What rules are you referring to?</b></p> <p>20 A. System rules, meaning --</p> <p>21 <b>Q. REJIS rules?</b></p> <p>22 A. REJIS, MULES, NCIC. That's rules or</p> <p>23 policy.</p> <p>24 <b>Q. Are those documented anywhere?</b></p> <p>25 A. Uh-huh, yes.</p> |
| Page 126  | Page 128  |
| <p>1 charges and once I am done with them I will turn</p> <p>2 them over to St. Louis County," then St. Louis</p> <p>3 County would put a detainer on their wanted record</p> <p>4 showing that they were being detained at Bridgeton.</p> <p>5 <b>Q. What if they were -- what if the</b></p> <p>6 <b>Bridgeton officer didn't have any charges to detain</b></p> <p>7 <b>the person? Would they still -- would they still</b></p> <p>8 <b>take that person into custody?</b></p> <p>9 A. Based on whatever St. Louis County told</p> <p>10 them to do. If they're going to come to pick them</p> <p>11 up, then they would have said "Extradite" on the</p> <p>12 record.</p> <p>13 <b>Q. What if they're unable to get in touch</b></p> <p>14 <b>with St. Louis County?</b></p> <p>15 A. On the hit confirmation? The hit</p> <p>16 confirmation, depending -- there are two choices on</p> <p>17 a hit confirmation. There's an urgent, a routine.</p> <p>18 With an urgent, there is a ten-minute rule that goes</p> <p>19 with it, so within ten minutes, that agency has to</p> <p>20 reply to that confirmation.</p> <p>21 If they don't, then the rules are you</p> <p>22 send a second confirmation. When a second</p> <p>23 confirmation is sent, not only is the originating</p> <p>24 agency notified, but also the state system.</p> <p>25 If you don't respond within that ten</p>                         | <p>1 <b>Q. And are officers taught about those</b></p> <p>2 <b>rules?</b></p> <p>3 A. Yes.</p> <p>4 <b>Q. During what course are they taught?</b></p> <p>5 A. Everybody is taught in all our courses</p> <p>6 on hit confirmation process.</p> <p>7 <b>Q. It's called hit confirmation process?</b></p> <p>8 A. Uh-huh.</p> <p>9 <b>Q. That's separate from the wanted entry</b></p> <p>10 <b>class?</b></p> <p>11 A. Separate from the --</p> <p>12 <b>Q. So is it taught during the REJIS</b></p> <p>13 <b>introductory course?</b></p> <p>14 A. Yes.</p> <p>15 MR. HOLLAND: I think we'll want to see</p> <p>16 the materials used for that course.</p> <p>17 <b>Q. So earlier we talked -- this is just</b></p> <p>18 <b>one question, I'm not going back to LEPAC, but you</b></p> <p>19 <b>mentioned that the LEPAC, the summaries of the</b></p> <p>20 <b>meetings are available to you on an intranet or</b></p> <p>21 <b>extranet?</b></p> <p>22 A. We call it our REJIS extranet.</p> <p>23 <b>Q. Is that available to individuals who</b></p> <p>24 <b>are not REJIS employees?</b></p> <p>25 A. Yes.</p>  |

32 (Pages 125 to 128)

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CINDY JENNINGS 3/30/2017

| Page 129   | Page 131   |
|--|--|
| <p>1 <b>Q. Who is it available to?</b></p> <p>2 A. All of our clients that are criminal</p> <p>3 justice clients, not our private access clients.</p> <p>4 <b>Q. It's not publicly available?</b></p> <p>5 A. That's correct.</p> <p>6 <b>Q. Who manages the process of information</b></p> <p>7 <b>sharing between REJIS, MULES, and NCIC? Or does it</b></p> <p>8 <b>just happen naturally?</b></p> <p>9 A. Can you ask me -- I mean, be more</p> <p>10 specific. I'm not sure what you mean by that.</p> <p>11 <b>Q. So REJIS, MULES, NCIC share</b></p> <p>12 <b>information. Is that just each agency knows to put</b></p> <p>13 <b>something on a posting or their website and the</b></p> <p>14 <b>other agencies know that that's where they should go</b></p> <p>15 <b>to check, or is there more of a communication on a</b></p> <p>16 <b>lower level?</b></p> <p>17 A. Information like -- like what kind --</p> <p>18 you mean records or are you meaning --</p> <p>19 <b>Q. Trainings, records, changes to</b></p> <p>20 <b>policies, those sorts of things.</b></p> <p>21 A. It happens all different ways. They</p> <p>22 would have posted on their next test website or we</p> <p>23 would get it via emails or it would come out as the</p> <p>24 technical operational update from NCIC. It comes in</p> <p>25 a variety of ways.</p> | <p>1 <b>Q. Inform or help draft the materials that</b></p> <p>2 <b>are used during trainings at all?</b></p> <p>3 A. No, they do not.</p> <p>4 <b>Q. Do they make requests for what should</b></p> <p>5 <b>be covered during trainings?</b></p> <p>6 A. Well, they -- I guess I would say yes.</p> <p>7 Like for their recruit class they tell us what they</p> <p>8 want taught in that recruit class and how many</p> <p>9 hours.</p> <p>10 <b>Q. Are you familiar at all with the</b></p> <p>11 <b>training that The Police Academy does itself for its</b></p> <p>12 <b>officers?</b></p> <p>13 A. No, I'm not.</p> <p>14 <b>Q. Any of the trainers that they use,</b></p> <p>15 <b>other than anybody who would have gone through your</b></p> <p>16 <b>courses?</b></p> <p>17 A. Am I familiar with the trainers they</p> <p>18 use?</p> <p>19 <b>Q. (Nods head.)</b></p> <p>20 A. Well, I would -- they have trainers</p> <p>21 that teach the academy course and they're the ones</p> <p>22 that set up the training with us.</p> <p>23 <b>Q. Who is that?</b></p> <p>24 A. Who it is today?</p> <p>25 <b>Q. Yeah.</b></p> |
| Page 130   | Page 132   |
| <p>1 <b>Q. Do you guys try to do your best to</b></p> <p>2 <b>align in terms of policies and procedures?</b></p> <p>3 A. With who?</p> <p>4 <b>Q. With MULES.</b></p> <p>5 A. Yes.</p> <p>6 <b>Q. Do you have regular communications with</b></p> <p>7 <b>anyone at the St. Louis County Police Department?</b></p> <p>8 A. Yes.</p> <p>9 <b>Q. Who?</b></p> <p>10 A. All the individual names?</p> <p>11 <b>Q. I'm talking about on a regular basis.</b></p> <p>12 A. Well, on a regular basis I probably</p> <p>13 talk to a lot of them because they would call in</p> <p>14 help desk tickets, and I'm responsible for answering</p> <p>15 those tickets. So I would talk to Lieutenant Burk.</p> <p>16 I would talk to Lieutenant Gomez, Sharon Pezold,</p> <p>17 Mary Wicking- -- it just depends on what unit of the</p> <p>18 PD you're talking about and ...</p> <p>19 <b>Q. Do you -- have you ever heard any</b></p> <p>20 <b>feedback from the St. Louis County Police Department</b></p> <p>21 <b>about the trainings you provide?</b></p> <p>22 A. No.</p> <p>23 <b>Q. Do they inform the materials that are</b></p> <p>24 <b>used at all?</b></p> <p>25 A. Do they what?</p>  | <p>1 A. I don't know his name. I haven't done</p> <p>2 that --</p> <p>3 <b>Q. What do you mean by set up the</b></p> <p>4 <b>trainings with you?</b></p> <p>5 A. Well, they would contact myself or a</p> <p>6 member of my staff to say, "We have a recruit class.</p> <p>7 Recruit class 602 is going to be ready for REJIS</p> <p>8 training in the next three months."</p> <p>9 <b>Q. Logistically they help you set it up?</b></p> <p>10 A. Right.</p> <p>11 <b>Q. Understood.</b></p> <p>12 <b>Did you speak with Lieutenant Gomez in</b></p> <p>13 <b>connection with this case?</b></p> <p>14 A. Directly with Lieutenant Gomez? No.</p> <p>15 <b>Q. Prior to his deposition in this case,</b></p> <p>16 <b>did you speak with him?</b></p> <p>17 A. No.</p> <p>18 <b>Q. Do you speak with him on a regular</b></p> <p>19 <b>basis?</b></p> <p>20 A. No.</p> <p>21 <b>Q. When was the last time you would have</b></p> <p>22 <b>spoken to Lieutenant Gomez?</b></p> <p>23 A. Probably about two months ago.</p> <p>24 <b>Q. Do you remember what capacity that</b></p> <p>25 <b>conversation occurred?</b></p>             |

33 (Pages 129 to 132)

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CINDY JENNINGS 3/30/2017

Page 133

1 A. He was on the conference phone call  
2 with Sharon Pezold.  
3 **Q. Who's Sharon Pezold?**  
4 A. She's the CARE coordinator.  
5 **Q. What was the purpose of that conference**  
6 **call?**  
7 A. Questions about a wanted document.  
8 **Q. Do you remember which one?**  
9 A. Which document? No.  
10 **Q. Have you spoken to anyone besides the**  
11 **30 minutes with Mr. Flojo about this case?**  
12 A. No.  
13 **Q. Or about your --**  
14 A. Oh. Yes.  
15 **Q. You're allowed to correct yourself.**  
16 A. Sorry.  
17 **Q. No need to apologize.**  
18 A. I forgot my director, Marc Meschke.  
19 **Q. When did you speak to Mr. Meschke?**  
20 A. When he got his subpoena.  
21 **Q. Sometime in January, give or take? His**  
22 **deposition was on February 3rd, if that helps.**  
23 A. Yes, I know I talked to him in January.  
24 **Q. What did you guys talk about?**  
25 A. He told me to get these -- create these

Page 134

1 records, pull these records based on information  
2 requested from someone. I don't know who at that  
3 point.  
4 **Q. So he had received a subpoena. He**  
5 **needed help gathering materials --**  
6 A. The documents.  
7 **Q. -- that were potentially relevant and**  
8 **he asked you to help him?**  
9 A. That's correct.  
10 **Q. Did you guys talk about anything else**  
11 **related to his deposition or this case?**  
12 A. No.  
13 MR. HOLLAND: That's all I have for you  
14 today. Depending on what Mr. Hughes might have, I  
15 may have some follow-up, but for now, that's it.  
16 EXAMINATION  
17 BY MR. HUGHES:  
18 **Q. I'm going to be very short, don't**  
19 **worry.**  
20 A. Okay.  
21 **Q. Very early in your deposition you**  
22 **talked about training law enforcement agencies in**  
23 **the St. Louis area, Kansas City, and some counties**  
24 **in Illinois; is that correct?**  
25 A. That's correct.

Page 135

1 **Q. And you were also asked some questions**  
2 **about stop orders and wanteds. In the Kansas City**  
3 **area, do they have what they call stop orders?**  
4 A. Yes.  
5 **Q. Okay. And -- and in St. Louis here,**  
6 **they have what's called wanteds; is that correct?**  
7 A. Yes.  
8 **Q. And now, you -- you were involved in**  
9 **training and you're a supervisor of trainers; is**  
10 **that correct?**  
11 A. Correct.  
12 **Q. And it's my understanding that when you**  
13 **train agencies, courts, court officials, judges,**  
14 **clerks, whatever, you train them on how to make**  
15 **entries properly into the REJIS system; is that**  
16 **correct?**  
17 A. Correct.  
18 **Q. You don't train on when it's**  
19 **permissible -- you don't train on Constitutional**  
20 **law, for example; is that correct?**  
21 A. Correct.  
22 **Q. So you don't train when it's**  
23 **permissible to issue a wanted; is that correct?**  
24 A. Correct.  
25 **Q. From a Constitutional standpoint, but**

Page 136

1 **you train how to do it accurately; is that correct?**  
2 A. Correct.  
3 **Q. Okay. And you mentioned something**  
4 **about not all agencies require validation but**  
5 **St. Louis County does require validation. They want**  
6 **you to contact them in 60 days, 60 to 90 days to do**  
7 **the validation process; is that correct?**  
8 A. I can't speak for sure the St. Louis  
9 County --  
10 **Q. Well ...**  
11 A. -- does that. I mean, they can request  
12 that. I don't know off the top of my head every  
13 single agency says, oh, yeah, give us all our  
14 records and every agency that doesn't.  
15 **Q. Okay. Well, if Lieutenant Gomez**  
16 **testified that within 90 days we'd get the**  
17 **validation reminders on a monthly basis and then**  
18 **annually thereafter from REJIS, you would have no**  
19 **reason to dispute that; is that correct?**  
20 A. That's correct.  
21 MR. HUGHES: All right. I told you I'd  
22 be short. Thank you very much, Ms. Jennings.  
23 THE WITNESS: You're welcome.  
24 MR. HOLLAND: I have nothing further.  
25 Thank you very much for coming in today.

34 (Pages 133 to 136)

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CINDY JENNINGS 3/30/2017

Page 137

1 THE WITNESS: Thank you.  
2 MR. FLOJO: Cindy, I think we talked  
3 about there's going to be a transcript created of  
4 this deposition and you have the right to review  
5 that and go page by page, line by line to make any  
6 corrections, or you can trust that our court  
7 reporter has taken down everything accurately.  
8 Would you like to read your deposition  
9 or would you like to waive your signature?  
10 THE WITNESS: I can waive my signature.  
11 MR. FLOJO: Okay.  
12 THE VIDEOGRAPHER: The time is 12:21.  
13 We are off the record. This concludes our  
14 deposition of Cindy Jennings.  
15 THE REPORTER: Same thing?  
16 MR. FLOJO: We don't need a copy.  
17 (Whereupon, signature was  
18 waived and the witness was  
19 excused at 12:20 p.m.)  
20 --oOo--  
21  
22  
23  
24  
25

Page 138

1 CERTIFICATE OF REPORTER  
2  
3 I, RENÉE COMBS QUINBY, a Registered Merit  
4 Reporter, Certified Realtime Reporter, Certified  
5 Shorthand Reporter (CA), Certified Court Reporter  
6 (MO), Realtime Systems Administrator, and Notary  
7 Public within and for the State of Missouri, do  
8 hereby certify that the witness whose testimony  
9 appears in the foregoing deposition was duly sworn  
10 by me to testify to the truth and nothing but the  
11 truth; that the testimony of said witness was taken  
12 by stenographic means by me to the best of my  
13 ability and thereafter reduced to print under my  
14 direction.  
15 I further certify that I am neither  
16 attorney nor counsel nor related nor employed by any  
17 of the parties to the action in which this  
18 deposition was taken; further, that I am not a  
19 relative or employee of any attorney or counsel  
20 employed by the parties hereto or financially  
21 interested in this action.  
22 My Commission expires April 9, 2017  
23  
24 -----  
25 Renée Combs Quinby, RMR, CRR, CCR #1291

35 (Pages 137 to 138)



CINDY JENNINGS 3/30/2017

|          |  |   |  |  |
|----------|--|---|--|--|
| <b>A</b> | <b>active</b> 114:20,21<br>114:25 115:1<br>116:5 119:25<br>127:9<br><b>actual</b> 80:15<br>103:4,15<br><b>add</b> 55:12 70:3<br>70:16 75:11,15<br>98:2<br><b>added</b> 27:18<br>42:12 44:17<br>67:13,15 68:6<br>69:25 70:1<br>71:16 73:19<br>74:4,13,14,23<br>78:2 89:11,12<br>89:13<br><b>adding</b> 54:10<br>55:7 77:18,19<br>79:13 80:25<br><b>addition</b> 21:13<br>74:19 80:25<br><b>additional</b> 127:1<br><b>adjacent</b> 109:13<br>109:14<br><b>Administrator</b><br>138:6<br><b>administrators</b><br>19:6<br><b>advise</b> 54:2,11<br>55:8,10,13<br>57:8 58:4<br><b>advised</b> 65:7<br><b>Advisory</b> 2:17<br>2:21 55:11,18<br>91:4<br><b>affect</b> 49:9 56:16<br><b>age</b> 27:9 108:17<br><b>agencies</b> 17:22<br>17:22 18:12,23<br>18:24,25 22:13<br>45:20 46:5,25<br>48:5 50:7<br>59:24 60:3<br>79:11,17 80:13<br>91:8 93:7,9 | 111:23 113:8<br>129:14 134:22<br>135:13 136:4<br><b>agency</b> 23:4<br>36:10 43:4<br>44:3 47:1 48:4<br>48:13,17 58:24<br>59:1,4,11<br>64:12 72:10,12<br>107:6 109:20<br>111:4 112:5,10<br>114:8,10 115:9<br>115:21 118:13<br>118:14 119:8<br>120:6,6,9<br>122:24 123:12<br>123:22,23,25<br>124:19 125:5<br>126:19,24<br>127:1,4,17<br>129:12 136:13<br>136:14<br><b>agenda</b> 2:13,14<br>3:1 84:13,17<br>96:16,19 97:15<br>97:17,24<br>116:11 118:19<br><b>ago</b> 11:4 15:15<br>73:2 132:23<br><b>agree</b> 57:15 60:9<br>74:2,4<br><b>AGREED</b> 7:2<br><b>agreement</b> 7:8<br><b>aguisado@ccr...</b><br>5:15<br><b>ahead</b> 10:10<br>54:16<br><b>al</b> 1:4,7 4:4,7<br>7:17,17<br><b>align</b> 130:2<br><b>allow</b> 29:5 57:21<br>58:8,13 59:24<br>110:21 123:18<br><b>allowed</b> 133:15<br><b>allows</b> 21:8<br>25:10 58:10 | 85:16 110:18<br><b>Americas</b> 5:9<br><b>amount</b> 40:24<br>43:8<br><b>amounts</b> 65:15<br><b>and/or</b> 103:5<br><b>Angelo</b> 5:12<br>8:12<br><b>announcement</b><br>71:9 72:2,5,8,9<br>72:12,15<br><b>annually</b> 116:5<br>136:18<br><b>answer</b> 10:10<br>25:19,20 30:22<br>32:1 33:3 36:9<br>72:23 95:5,5<br>99:10 102:9<br>118:18<br><b>answered</b><br>109:19<br><b>answering</b> 9:11<br>10:1,2,11 18:2<br>130:14<br><b>answers</b> 38:15<br>94:13<br><b>anybody</b> 12:6<br>16:3 72:11<br>85:2,14 86:17<br>131:15<br><b>anytime</b> 50:2<br><b>apologize</b><br>133:17<br><b>appears</b> 79:13<br>79:23 138:9<br><b>application</b><br>46:19,20,22<br>47:5,6,23 48:2<br><b>applications</b><br>16:22,23 18:4<br>24:13 102:14<br>102:16,20<br><b>apply</b> 36:9<br><b>appreciate</b><br>13:11<br><b>apprehend</b> | 109:5<br><b>apprehended</b><br>123:11<br><b>appropriate</b><br>45:9,12,13,19<br><b>approximately</b><br>7:15<br><b>April</b> 138:22<br><b>ArchCity</b> 5:4<br>8:7<br><b>area</b> 17:5,6 23:9<br>24:5 32:20<br>34:25 48:9<br>49:7 68:17,25<br>73:9 93:7,10<br>134:23 135:3<br><b>areas</b> 20:15<br>23:21<br><b>argumentative</b><br>27:2 59:19<br>60:10 122:25<br><b>arrest</b> 21:13<br>24:22 25:3,13<br>31:9,9,11<br>53:20 64:17,23<br><b>arrested</b> 101:24<br>103:3<br><b>arrests</b> 25:5<br>53:21 101:23<br>101:23 103:2<br><b>aside</b> 11:25<br>12:22 13:6<br>19:2 60:14<br>85:2,14 87:8<br>94:18 99:14<br>118:10<br><b>asked</b> 30:18<br>51:18 70:7,9<br>79:7,9 90:7<br>134:8 135:1<br><b>asking</b> 8:25 9:4<br>19:24 25:9<br>29:12 69:3<br>88:20 89:2<br>102:25 108:4<br>111:13 |
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|   |  |   |  |  |
|---|--|---|--|--|
| <b>assign</b> 102:8,14<br>102:18  | 119:19   | <b>basically</b> 16:18<br>33:17 119:7   | 125:13,16,25<br>126:4,6  | 106:16,17,21<br>106:23 109:18  |
| <b>assigned</b> 18:15<br>22:7 34:21,22<br>44:2 83:16  | <b>available</b> 35:24<br>60:4 85:9<br>88:20 98:22,23<br>107:24 128:20<br>128:23 129:1,4   | <b>basis</b> 25:6 34:13<br>49:23 130:11<br>130:12 132:19<br>136:17              | <b>Bridgeton's</b><br>127:5  | 110:2,6,10,16<br>110:24 111:3  |
| <b>assist</b> 19:17   | <b>Avenue</b> 5:9 6:3  | <b>Bates</b> 67:15  | <b>Briggs</b> 85:24<br>86:4  | <b>cancellation</b><br>105:15  |
| <b>associated</b> 66:21<br>73:13  | <b>aware</b> 13:7<br>26:17,24 50:4<br>62:20 67:5<br>75:2 87:6<br>93:16,19,22<br>100:18 103:20  | <b>bathroom</b> 72:21   | <b>bring</b> 48:8  | <b>capability</b> 76:4   |
| <b>assume</b> 30:18<br>35:18 94:13  | <b>awareness</b> 91:1<br>95:21   | <b>bear</b> 99:8  | <b>Britney</b> 5:12 8:9  | <b>capacity</b> 10:19<br>22:24 100:20<br>132:24  |
| <b>assumes</b> 29:10  | <b>a.m</b> 1:15 7:11,15  | <b>Beginning</b> 1:15   | <b>Broadway</b> 5:13   |  |
| <b>attached</b> 3:8   | <b>B</b>   | <b>behalf</b> 4:13 8:3<br>8:7,10,13   | <b>brought</b> 102:1<br>103:5  | <b>captured</b> 101:13   |
| <b>attend</b> 13:20,25<br>17:20 36:3<br>48:19 49:24,25<br>50:1,7 85:3,10<br>85:11,15,17,20<br>85:22 91:21<br>92:14,15 | <b>back</b> 22:14 30:5<br>36:2 45:25<br>46:13 58:20<br>71:15,19 79:2<br>83:12 96:24<br>97:10,11<br>101:14 105:3<br>110:5,18<br>115:10 122:7<br>122:20 124:7<br>124:18 125:13<br>128:18 | <b>believe</b> 37:21<br>62:10 66:24<br>73:15 79:10<br>86:3 90:21<br>93:15       | <b>Brown</b> 86:4  | <b>car</b> 106:9 124:17  |
| <b>attendance</b><br>33:25 81:23<br>86:22,23,25<br>87:2   | <b>background</b><br>13:15 66:5,8<br>77:24   | <b>benefit</b> 32:23,24<br><b>best</b> 9:24,25<br>130:1 138:12                  | <b>bulky</b> 94:18   | <b>CARE</b> 53:16,18<br>64:2 77:2 78:9<br>78:10,13<br>107:19 133:4   |
| <b>attended</b> 14:17<br>47:19 54:5<br>86:4 92:17<br>93:13  | <b>Ballpark</b> 113:25   | <b>better</b> 9:8   | <b>Burk</b> 49:1 50:9<br>72:14 98:1,8<br>130:15  | <b>Carroll</b> 5:4 8:6,6   |
| <b>attendees</b> 84:13  | <b>bank</b> 38:11  | <b>beyond</b> 57:22   | <b>business</b> 13:19<br>14:9 33:18  | <b>case</b> 1:6 4:6 7:18<br>23:14 67:19<br>83:17 104:15<br>105:10,12<br>109:13 120:13<br>122:6 127:5<br>132:13,15<br>133:11 134:11             |
| <b>attending</b> 82:15<br>83:8  | <b>based</b> 21:3 24:9<br>24:10 30:3<br>37:3 43:3<br>46:22 55:10<br>58:23 59:2,9<br>59:25 65:22<br>77:1 119:23<br>121:25 126:9<br>134:1  | <b>birth</b> 27:9   | <b>button</b> 107:7<br>115:1 124:13<br>124:13 125:7,8  | <b>category</b> 55:13  |
| <b>attends</b> 48:16,17<br>82:21 92:16  | <b>basic</b> 37:10   | <b>bit</b> 17:1 18:13<br>23:12 33:4<br>36:25 41:9<br>68:25 114:2                | <b>bwilson@ccrj...</b><br>5:15   | <b>cause</b> 65:12,14<br>65:16,20,23<br>66:24 69:6,24<br>70:4,16 73:15<br>76:10,16,25<br>77:6,22 80:25<br>89:3,5,6,10,20<br>90:4,18,21<br>98:5 |
| <b>attorney</b> 10:7<br>138:16,19   |  | <b>blackout</b> 108:11  | <b>C</b>   | <b>CCR</b> 6:13<br>138:25  |
| <b>attorneys</b> 7:25<br>19:6   |  | <b>body</b> 123:22  | <b>C 5:1 7:11</b>  | <b>center</b> 5:13 7:21<br>8:10,12 11:15   |
| <b>audience</b> 20:10   |  | <b>bold</b> 78:17<br>118:23   | <b>CA 4:18 6:12</b><br>138:5   | <b>Central</b> 6:3   |
| <b>audio</b> 35:9 86:9<br>86:12,13 87:3   |  | <b>bottom</b> 62:10<br>67:13,15,20,21<br>68:7 105:8,10<br>117:2 118:6<br>121:12 | <b>calendar</b> 16:20  | <b>certain</b> 32:6<br>55:25 56:19,24<br>98:23 110:12  |
| <b>August</b> 2:15,19<br>96:22 97:7,17<br>97:24   |  | <b>box</b> 76:14,18   | <b>call</b> 19:7 21:8<br>22:8 46:17<br>74:24 102:6,7<br>103:6 110:20<br>128:22 130:13<br>133:1,6 135:3 | <b>certainly</b> 90:24   |
| <b>authority</b> 57:22  |  | <b>break</b> 72:21<br>78:20 79:4  | <b>called</b> 128:7<br>135:6   | <b>certainty</b> 30:7  |
| <b>automated</b><br>38:10,25  |  | <b>breakdown</b><br>113:23  | <b>calling</b> 42:11   | <b>CERTIFICA...</b>  |
| <b>automatically</b>  |  | <b>Brian</b> 35:3   | <b>calls</b> 16:21 18:2<br>18:3 29:10<br>31:22 40:12<br>59:17 77:11<br>125:2                           |  |
|   |  | <b>Bridgeton</b><br>124:23 125:1,5  | <b>Cancel</b> 77:5   |  |
|   |  |   | <b>canceled</b> 105:14<br>106:1,3,12,14  |  |

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CINDY JENNINGS 3/30/2017

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|--|--|--|---|---|
| 138:1<br><b>certification</b><br>21:2,2,5 36:13<br>37:9 39:9 43:3<br>85:19,19<br><b>certified</b> 4:16,17<br>4:18 7:5 36:13<br>36:17,23 43:1<br>43:19 44:10<br>85:18 88:11<br>138:4,4,5<br><b>certify</b> 22:16<br>138:8,15<br><b>cetera</b> 33:25<br>44:24 63:21<br><b>chance</b> 78:20<br><b>change</b> 20:11<br>48:9 50:4,5<br>54:23 55:2,7<br>55:13,14,16<br>70:13,19,24<br>71:4,7,10,15<br>72:7 73:2,5<br>74:15,16,25<br>75:1,2,5,16,17<br>75:19,22 77:10<br>80:3 83:18<br>84:2 94:7<br>122:1,1<br><b>changed</b> 38:5,9<br>49:6,8 55:1<br>75:3 87:18<br><b>changes</b> 9:15<br>28:16 30:3<br>48:5 49:4,6,10<br>54:9,19,21<br>55:24,24 72:4<br>72:6 75:10<br>80:7,7 81:2<br>84:3 89:10<br>129:19<br><b>changing</b> 38:12<br>50:2<br><b>characterizati...</b><br>76:21<br><b>characterize</b> | 40:9<br><b>charge</b> 27:11,12<br>27:13 30:4<br>59:3,10 108:4<br>109:1,9,11<br>119:22 120:2<br><b>charges</b> 100:10<br>100:14,19<br>101:1,25 103:5<br>108:14 111:12<br>125:21 126:1,6<br><b>Charles</b> 23:25<br>124:3,5,19,20<br><b>check</b> 34:7<br>122:15 129:15<br><b>checking</b> 59:3<br><b>chief</b> 92:5,7 93:3<br><b>choice</b> 23:5<br>112:20 113:11<br>124:21<br><b>choices</b> 126:16<br><b>choose</b> 32:19<br>36:11 109:2<br>112:8,15,17,24<br>113:7,7,8,12<br>113:19,21<br><b>chooses</b> 23:4<br>59:11 118:13<br>127:2<br><b>chose</b> 75:10<br>107:7,22<br><b>chosen</b> 108:6<br><b>Christopher</b><br>8:15<br><b>Cindy</b> 1:11 4:11<br>7:16 9:2<br>103:14 116:19<br>137:2,14<br><b>circulated</b> 98:17<br><b>circumstances</b><br>56:19<br><b>circumvent</b> 60:7<br><b>city</b> 4:15 5:19<br>8:17 17:6,6,7<br>23:19,24 24:1<br>24:2 35:16,23 | 35:25 93:8<br>134:23 135:2<br><b>CJ6</b> 116:17<br><b>Clair</b> 24:7<br><b>clarification</b><br>22:16<br><b>clarify</b> 19:23<br>22:18 56:14<br>79:6 89:1<br><b>clarifying</b> 19:24<br><b>class</b> 34:12<br>36:11 41:3<br>44:6 52:13,15<br>52:23,24,25<br>56:7 61:7<br>63:14 64:8<br>66:17 78:14,16<br>86:14,22 87:3<br>89:21 120:17<br>120:17 121:3,5<br>128:10 131:7,8<br>132:6,7<br><b>classes</b> 16:18,18<br>16:20 17:20,25<br>19:21 23:4<br>34:6 52:18<br><b>classroom</b> 33:23<br>35:22<br><b>Clayton</b> 6:3<br><b>clearances</b> 20:22<br><b>cleared</b> 105:10<br>105:12,16,17<br><b>Clements</b> 8:16<br><b>clerk</b> 24:25<br>42:11<br><b>clerks</b> 17:10<br>19:5 20:8<br>135:14<br><b>click</b> 76:23 77:4<br>115:1<br><b>client</b> 15:5,18<br>18:14,17 56:11<br>58:23 81:19<br>82:22<br><b>clients</b> 17:8 18:4<br>18:21,22 19:1 | 49:4,12 75:5<br>111:24 123:21<br>129:2,3,3<br><b>CN</b> 105:24<br>106:1<br><b>college</b> 13:18,20<br>13:24,25 14:6<br>14:8,16<br><b>color</b> 27:9,10<br><b>column</b> 57:10<br>100:8,9,10<br><b>Combs</b> 4:16<br>6:12 7:5 138:3<br>138:25<br><b>come</b> 18:3 30:5<br>38:1 45:24<br>46:13 71:15,19<br>79:18 80:7<br>102:11 124:7<br>126:10 129:23<br><b>comes</b> 9:6 42:16<br>55:13 80:3<br>81:2 129:24<br><b>coming</b> 48:5<br>81:15 136:25<br><b>comments</b> 98:2<br><b>Commission</b><br>8:18 138:22<br><b>committed</b><br>66:24 73:16<br>90:22 98:5<br><b>committee</b> 2:18<br>2:22 55:12,18<br>70:11 91:5,6<br>91:11,12,13,14<br>91:17,20,23<br>92:1,9 93:11<br><b>committees</b><br>45:21<br><b>common</b> 21:18<br>87:12<br><b>communication</b><br>129:15<br><b>communicatio...</b><br>12:12,13,16<br>49:15 130:6 | <b>community</b> 91:8<br><b>comparable</b><br>29:17 33:12,14<br>33:20 40:21<br><b>complete</b> 22:7<br>26:3 27:5 44:5<br>46:1,14 77:3<br>114:16 115:11<br><b>completely</b><br>111:2<br><b>complicated</b><br>56:13<br><b>computer</b><br>127:14<br><b>concludes</b><br>137:13<br><b>condition</b> 9:12<br><b>conduct</b> 16:17<br>16:19 19:20<br>86:8<br><b>conference</b><br>133:1,5<br><b>confirm</b> 114:16<br>114:24 120:8<br>127:8,16<br><b>confirmation</b><br>120:11 124:9<br>124:12 125:5,6<br>125:8,11,12<br>126:15,16,17<br>126:20,22,23<br>128:6,7<br><b>confirmed</b><br>127:14<br><b>confused</b> 43:25<br>96:23<br><b>confusing</b> 9:7<br>67:20 123:4,7<br>123:20<br><b>confusion</b> 97:9<br><b>conjecture</b><br>29:11 31:23<br>40:13 59:18<br>77:12<br><b>connection</b><br>11:19 132:13 |
|--|--|--|---|---|

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|-------------------------|------------------------|-------------------------|--------------------------|-------------------------|
| 94:15                   | 52:5,20 53:23          | 11:19 23:24,25          | <b>court</b> 1:1 3:7 4:1 | <b>criteria</b> 31:6    |
| <b>consider</b> 47:13   | 54:3,22,24             | 23:25 24:1,5            | 4:17 6:11 7:6            | 119:21                  |
| <b>Constitutional</b>   | 55:9,20 57:9           | 35:23 47:4              | 7:19 9:21                | <b>CRR</b> 6:12         |
| 5:13 8:11,13            | 58:10,11,13,15         | 48:25 50:10,16          | 17:25,25 19:5            | 138:25                  |
| 135:19,25               | 58:16 60:5             | 88:6,10 91:22           | 19:5 27:12,13            | <b>CSR</b> 6:12         |
| <b>contact</b> 54:1,10  | 61:8 64:1,24           | 109:15,23               | 27:15,16,16,17           | <b>curious</b> 122:22   |
| 55:7,10,12              | 65:5 66:8 67:5         | 112:3,23                | 34:22,25 57:17           | <b>current</b> 15:25    |
| 57:8 58:4               | 67:9 68:19,21          | 123:25 124:4,6          | 57:22 59:13              | 67:5,23 68:1,9          |
| 115:13,14,19            | 69:8,12 71:24          | 124:10,19,20            | 78:20 115:13             | 68:11,17 80:10          |
| 132:5 136:6             | 72:1 73:3,18           | 124:23,25               | 135:13 137:6             | 92:7 118:24             |
| <b>contained</b> 25:7   | 73:20,23,24            | 125:9,11,18             | 138:5                    | <b>currently</b> 82:23  |
| 25:13 45:4              | 74:3,21 76:17          | 126:2,3,9,14            | <b>courts</b> 17:24      | 91:24                   |
| <b>contents</b> 12:13   | 76:25 77:7             | 127:3,8 130:7           | 18:24 19:5               | <b>custody</b> 126:8    |
| 12:17                   | 79:23 83:9,14          | 130:20 136:5,9          | 135:13                   | 127:11,12               |
| <b>contextual</b> 94:24 | 83:22 86:10            | <b>County's</b> 48:21   | <b>cover</b> 23:20,22    | <b>customer</b> 111:13  |
| <b>continuously</b>     | 88:12,22 89:21         | <b>couple</b> 39:4      | 23:23 24:6               | 111:14,15,18            |
| 14:23                   | 89:23 97:18,19         | 94:20                   | 52:25 62:9               | 111:19,19,20            |
| <b>control</b> 70:19    | 107:25 110:15          | <b>course</b> 9:15 20:1 | 66:16 121:12             | 124:20                  |
| 74:25 75:2              | 112:9 113:1,2          | 20:11,13,16             | 122:20                   | <b>customers</b> 93:12  |
| <b>conversation</b>     | 113:13,16,17           | 23:6 34:11              | <b>covered</b> 37:6      | <b>customize</b> 21:2   |
| 132:25                  | 119:10,18,24           | 35:17,21 36:1           | 131:5                    | <b>C-i-n-d-y</b> 9:2    |
| <b>coordinate</b>       | 120:3 124:2            | 36:6,21,22,24           | <b>covering</b> 49:5     |                         |
| 49:21 68:10             | 129:5 133:15           | 37:3,6,7,8 38:4         | <b>co-counsel</b> 8:4    | <b>D</b>                |
| <b>coordinator</b>      | 134:9,24,25            | 38:14 39:10             | <b>create</b> 26:2 44:5  | <b>D</b> 7:11           |
| 48:13 77:2              | 135:6,10,11,16         | 41:5,15 42:14           | 45:7,24 46:16            | <b>Daniel</b> 82:4      |
| 79:20 107:20            | 135:17,20,21           | 42:15,17,19,20          | 46:18 58:24              | <b>data</b> 42:6 100:2  |
| 133:4                   | 135:23,24              | 42:24 43:7,8            | 59:25 102:8              | 100:4,5,16,21           |
| <b>coordinators</b>     | 136:1,2,7,19           | 43:21,23 44:6           | 121:25 122:5             | 112:2                   |
| 48:4 78:9,10            | 136:20                 | 44:8,14,17,18           | 133:25                   | <b>database</b> 23:13   |
| 78:13                   | <b>corrections</b>     | 45:1 53:2,10            | <b>created</b> 23:17,18  | 24:14,18 25:7           |
| <b>copied</b> 3:8       | 18:24 137:6            | 64:1,2,4,5,11           | 50:22 51:6,7             | 25:10 45:15,16          |
| <b>copies</b> 3:8 38:20 | <b>correctly</b> 20:17 | 65:11,24,25             | 52:3 58:23               | 46:12 79:22             |
| <b>copy</b> 11:12 39:3  | 67:1 121:15            | 71:21 86:23             | 59:1 79:10               | 98:17,23 99:25          |
| 97:6 137:16             | <b>correspond</b>      | 121:1 122:13            | 83:15 91:15              | 101:13                  |
| <b>corner</b> 100:7     | 55:16 96:15            | 122:14,16               | 107:6,10,22              | <b>date</b> 7:14 27:8   |
| <b>correct</b> 12:21    | <b>corresponding</b>   | 128:4,13,16             | 137:3                    | 27:13 51:17             |
| 14:25 15:12             | 84:18 88:14            | 131:21                  | <b>creates</b> 46:12     | 62:1 71:3               |
| 16:12 18:10             | 121:22                 | <b>courses</b> 16:25    | 59:4 107:8               | 93:21 106:2             |
| 19:12,14 20:2           | <b>counsel</b> 7:3,3,8 | 19:17,25 20:3           | <b>creation</b> 80:16    | 107:17 110:1            |
| 25:11,22,24,25          | 65:8 138:16,19         | 20:15 30:14             | <b>credit</b> 14:1       | 117:16                  |
| 26:4,25 27:7            | <b>Counselor's</b> 6:2 | 34:23,24 35:6           | <b>credits</b> 14:17     | <b>dated</b> 2:13,15,18 |
| 27:20 37:25             | 8:18                   | 35:14 44:19,22          | <b>crime</b> 66:24       | 2:22 3:2                |
| 38:19 39:20,21          | <b>counties</b> 24:2,6 | 63:25 87:5,10           | 73:16 98:5               | 117:20                  |
| 41:11,12,14             | 109:5,12,13,14         | 87:15 89:4,10           | <b>criminal</b> 17:4     | <b>dates</b> 62:8       |
| 43:11 45:2              | 134:23                 | 89:17 128:5             | 101:25 103:5             | <b>David</b> 6:7 7:23   |
| 48:14,15 52:1           | <b>county</b> 6:2 8:15 | 131:16                  | 129:2                    | 15:23 83:2,3            |

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|---|---|---|---|---|
| <b>day</b> 35:17 37:17<br>37:18,18 75:5   | <b>Department's</b><br>50:17  | 125:24 126:3  | 82:17,22  | 121:7,25 122:5  |
| <b>days</b> 35:17<br>110:24 116:2,4<br>136:6,6,16   | <b>depend</b> 36:6,18<br>44:19  | <b>detainers</b> 122:2<br>123:5   | 133:18  | 122:23 133:7,9  |
| <b>day-to-day</b><br>16:15 34:13  | <b>depending</b><br>20:10 35:16<br>47:5 106:19<br>109:1 114:9<br>119:22 120:1<br>125:22 126:16<br>134:14                      | <b>detaining</b><br>125:20  | <b>disappear</b><br>106:17,19   | <b>documentation</b><br>16:20 55:15,15<br>70:8 75:7<br>84:18  |
| <b>decide</b> 119:8<br>125:23   | <b>depends</b> 28:11<br>48:2 85:9<br>130:17   | <b>determination</b><br>22:11 66:6<br>77:7  | <b>discrepancy</b><br>69:20   | <b>documented</b><br>127:24   |
| <b>decision</b> 55:2,6<br>55:11 64:10<br>70:3,6,15<br>75:11,15 80:23<br>81:8,15 84:8<br>118:15 127:5  | <b>deposed</b> 10:14<br>12:11 23:14   | <b>determine</b> 76:24  | <b>discuss</b> 39:5<br>46:18 88:19<br>104:12  | <b>documents</b><br>12:24 13:2,7,8<br>60:16,25 61:3<br>61:4,9,20,25<br>62:7 63:13<br>66:10 90:3,5<br>94:18,21 96:4<br>98:12 121:25<br>134:6 |
| <b>decisions</b> 54:13<br>54:14,18,22<br>83:11,12   | <b>deposition</b> 1:10<br>4:11 7:4,16,20<br>103:22 104:7<br>104:10,22<br>132:15 133:22<br>134:11,21<br>137:4,8,14<br>138:9,18 | <b>determined</b><br>34:18 35:19<br>76:9  | <b>discussed</b> 13:9<br>23:15 33:8<br>52:18,18 53:10<br>54:4 55:25<br>56:2 71:8<br>74:12 89:11<br>120:11   | <b>Doell</b> 6:7 7:23<br><b>DOJ</b> 94:15<br><b>DOJ's</b> 93:16<br><b>draft</b> 61:9,24<br>131:1  |
| <b>decree</b> 94:15   | <b>depositions</b><br>10:21   | <b>develop</b> 16:23<br>34:3 79:21  | <b>dispatch</b> 124:9<br>125:2  | <b>drafted</b> 40:19,22<br>51:16 61:22<br>63:2  |
| <b>defendants</b> 1:8<br>4:8 6:1 7:4<br>10:8 116:13   | <b>described</b> 68:20  | <b>development</b><br>16:23 34:24<br>46:12  | <b>display</b> 105:5  | <b>drafting</b> 37:23<br>51:10 61:18,19<br>65:1   |
| <b>Defenders</b> 5:4<br>8:7   | <b>description</b> 70:4<br>79:15 81:4<br>88:1 94:3<br>114:6 125:10  | <b>differ</b> 20:19   | <b>dispute</b> 136:19   | <b>drive</b> 87:13  |
| <b>DEF-SUPP</b><br>67:15  | <b>descriptions</b><br>81:6   | <b>difference</b> 56:15<br>57:16 59:7,12<br>66:13   | <b>distributed</b><br>95:11   | <b>driver</b> 21:9<br>37:13   |
| <b>degree</b> 14:9<br>33:12,14,15,17<br>33:18,19 37:2<br>93:4   | <b>design</b> 45:15   | <b>differences</b><br>30:12 56:12<br>98:12,18   | <b>District</b> 1:1,2<br>4:1,2 7:19,19  | <b>dual</b> 111:22,24<br>112:4,5,9,13<br>112:24 113:3,6<br>113:8,10,18  |
| <b>department</b><br>5:19 11:19<br>22:7,10,23<br>23:8,19 32:19<br>35:19 37:12<br>45:22 46:4,8<br>47:4 48:21,25<br>88:6,10 91:22<br>93:17 112:4,20<br>112:22,24<br>124:1,4 130:7<br>130:20 | <b>designation</b> 55:2   | <b>different</b> 20:14<br>20:14,15,20,21<br>20:21 21:1,12<br>44:22 52:17,19<br>69:1 91:8<br>106:24 108:25<br>120:5 129:21 | <b>division</b> 1:2 4:2<br>102:12   | <b>duly</b> 138:9   |
| <b>departments</b><br>17:24 18:16,18<br>23:21 31:20<br>46:9,10  | <b>designed</b> 45:16   | <b>diploma</b> 33:13  | <b>document</b> 2:12<br>2:14,16,20 3:1<br>3:3 11:13,16<br>30:6 51:3,10<br>51:12,24 52:11<br>53:11 54:4,23<br>55:1,24 56:4<br>56:10,22 57:5<br>63:15,17 67:7<br>67:14 68:2,9<br>68:12,16 90:9<br>90:10,12 96:6<br>98:15 99:3,20<br>100:6 105:4<br>107:4 116:24<br>117:4 120:24 | <b>DWAYNE</b> 1:4<br>4:4  |
|   | <b>designing</b> 46:23  | <b>direct</b> 112:12  |   | <b>E</b>  |
|   | <b>desk</b> 15:5 16:21<br>18:1 102:7<br>103:7 130:14  | <b>directed</b> 83:12   |   | <b>E</b> 5:1,1 6:2 7:11<br>7:11   |
|   | <b>details</b> 23:17  | <b>direction</b> 138:14   |   | <b>earlier</b> 10:25<br>18:11 62:17<br>72:20 79:7<br>80:11,22 84:10   |
|   | <b>detain</b> 125:25<br>126:6   | <b>directly</b> 107:16<br>112:11 132:14   |   |   |
|   | <b>detained</b> 126:4   | <b>director</b> 15:18   |   |   |
|   | <b>detainer</b> 120:4<br>123:9,10,17,21   | 70:25 80:21<br>81:19,20 82:16   |   |   |

MIDWEST LITIGATION SERVICES



CINDY JENNINGS 3/30/2017

|                         |                         |                         |                          |                         |
|-------------------------|-------------------------|-------------------------|--------------------------|-------------------------|
| 86:7 87:21              | 45:3 55:11,17           | 56:7 61:5,7             | 121:17                   | 95:17 99:6              |
| 89:2 121:3,19           | 66:22 73:14             | 63:14 64:8              | <b>excused</b> 137:19    | 114:12,12               |
| 128:17                  | 83:17 91:4,7            | 65:11 66:17             | <b>exhibit</b> 2:7,8,8,9 | 128:21,22               |
| <b>Earls</b> 15:23      | 93:6,9 134:22           | 70:5,8,17               | 2:9,10,10,11             | <b>eye</b> 27:9         |
| <b>early</b> 15:10      | <b>ensure</b> 26:1      | 73:11 76:19             | 2:11,12,14,16            |                         |
| 134:21                  | <b>entail</b> 49:22     | 77:3 78:14              | 2:20,24,24,25            | <b>F</b>                |
| <b>earth</b> 3:4 122:21 | <b>entails</b> 114:7    | 79:12 98:6              | 2:25 3:1,3 11:9          | <b>facility</b> 81:24   |
| <b>Eastern</b> 1:2,2    | <b>enter</b> 24:25      | 104:14 107:8            | 11:10 50:23,24           | <b>fact</b> 29:16       |
| 4:2,2 7:19              | 30:24 31:4,16           | 107:10 120:17           | 53:12 60:18              | 111:24                  |
| <b>education</b> 13:15  | 41:24 76:4              | 120:17 121:3,6          | 62:10,13,16              | <b>factor</b> 66:1      |
| 13:17                   | 79:20 111:10            | 121:18,22               | 66:10 67:3,11            | <b>facts</b> 29:10      |
| <b>effectuated</b> 25:6 | 111:15,22,25            | 122:12 123:10           | 96:9,12 97:12            | <b>fail</b> 40:2        |
| <b>efficiency</b> 9:18  | 112:1,7,10              | 127:15,16               | 99:15,16                 | <b>fair</b> 13:12 21:20 |
| <b>efficiently</b> 10:4 | 113:9                   | 128:9                   | 104:23 116:7,8           | 23:10,11 25:5           |
| <b>eight</b> 14:1,17    | <b>entered</b> 27:23    | <b>Eric</b> 80:21 81:7  | 116:15 120:20            | 25:12 26:3,7,8          |
| 82:13                   | 28:8 45:2               | 82:18                   | 120:21                   | 26:9 28:21,24           |
| <b>either</b> 67:19     | 76:16 107:18            | <b>especially</b> 123:9 | <b>exhibits</b> 2:6 3:7  | 38:18,19 39:11          |
| 111:25 124:8            | 120:6                   | <b>Esq</b> 5:4,8,12,12  | 60:19 96:1               | 46:2,8,14 55:3          |
| 125:1                   | <b>entering</b> 24:21   | 5:19 6:2                | <b>exist</b> 13:12 31:6  | 55:4 56:17,21           |
| <b>electronically</b>   | 64:3 66:23,25           | <b>et</b> 1:4,7 4:4,7   | 84:4 102:3,4             | 56:22 57:1,20           |
| 114:10                  | 73:14,16 74:20          | 7:17,17 33:25           | 108:24 121:23            | 63:9 64:13,19           |
| <b>elements</b> 46:19   | 76:13 77:3              | 44:24 63:21             | <b>existed</b> 62:24     | 66:2,3,7 75:12          |
| <b>email</b> 50:3 84:20 | 98:6 111:11,16          | <b>eventually</b> 81:1  | 91:18                    | 75:13 76:7,8            |
| 114:11                  | <b>entire</b> 35:18     | <b>everybody</b> 86:2   | <b>existence</b> 51:20   | 76:11,12,20             |
| <b>emailed</b> 12:8,19  | 100:23                  | 128:5                   | 111:6 115:16             | 80:14 81:4              |
| 72:13                   | <b>entitled</b> 2:12,14 | <b>Everybody's</b>      | <b>exists</b> 63:4 88:22 | 99:11 101:18            |
| <b>emails</b> 129:23    | 2:16,20 3:1,3           | 102:23                  | <b>experience</b>        | 101:19 103:24           |
| <b>employed</b> 15:8    | <b>entries</b> 21:16    | <b>evidence</b> 29:10   | 33:12,15 63:19           | 122:10,19               |
| 22:22 138:16            | 24:13 26:2              | <b>exact</b> 27:24 71:3 | <b>expires</b> 138:22    | <b>familiar</b> 18:8,19 |
| 138:20                  | 29:17 41:10,13          | <b>exactly</b> 71:1     | <b>explain</b> 28:13     | 29:1,4,14,16            |
| <b>employee</b> 88:5,9  | 43:10 45:23             | <b>exam</b> 37:16,23    | 30:12 36:8               | 29:21 50:16             |
| 138:19                  | 53:4,21,22              | 38:5 39:19,19           | 42:2,3 44:1              | 51:3 60:16,25           |
| <b>employees</b> 22:14  | 57:11 58:9              | 39:23 43:7,18           | 45:3 78:15               | 61:2,3 99:20            |
| 95:12 128:24            | 61:5 79:7               | <b>EXAMINATI...</b>     | <b>explaining</b> 42:8   | 100:21 131:10           |
| <b>employment</b>       | 113:14,15,19            | 2:4,5 8:20              | 98:12,17                 | 131:17                  |
| 11:20                   | 113:20 118:1            | 134:16                  | <b>explanation</b>       | <b>familiarity</b>      |
| <b>EN</b> 107:17,17     | 135:15                  | <b>examined</b> 4:12    | 47:11                    | 117:5                   |
| <b>enable</b> 60:6      | <b>entry</b> 21:12,24   | <b>example</b> 22:20    | <b>EXT</b> 108:17        | <b>far</b> 108:20       |
| <b>encounter</b> 56:19  | 22:2 25:10,13           | 44:21 49:7              | <b>extradite</b> 108:21  | <b>far-right</b> 57:10  |
| <b>ends</b> 67:21       | 26:18 27:5,6            | 54:20 135:20            | 109:13 125:19            | <b>February</b>         |
| <b>enforcement</b>      | 27:19 29:21             | <b>examples</b> 21:4    | 125:20 126:11            | 133:22                  |
| 2:17,21 14:12           | 30:3 42:13,17           | <b>exams</b> 39:3       | <b>extradition</b>       | <b>feedback</b> 130:20  |
| 16:17,25 17:2           | 42:19 44:24             | <b>excuse</b> 28:9,15   | 27:14 59:10              | <b>felonies</b> 32:18   |
| 17:4 18:23              | 45:14 46:11,14          | 34:17 64:2              | 69:19 108:20             | <b>felony</b> 28:14     |
| 19:3 20:8               | 52:13,15,22,24          | 72:18 73:22             | 108:24                   | 69:18 108:4,16          |
| 34:21,23 35:2           | 52:25 53:20             | 89:12 95:14             | <b>extranet</b> 52:14    | <b>felt</b> 122:3       |

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CINDY JENNINGS 3/30/2017

|                          |                         |                         |                        |                        |
|--------------------------|-------------------------|-------------------------|------------------------|------------------------|
| <b>females</b> 101:5     | 26:14 31:24             | <b>further</b> 104:9    | 97:4 100:24            | 81:7 82:18             |
| <b>Ferguson</b> 93:17    | 32:13 39:5              | 122:4 136:24            | 107:13 108:4,9         | <b>government</b>      |
| 94:15                    | 67:14 77:13             | 138:15,18               | 108:13 109:5,8         | 122:23                 |
| <b>field</b> 42:7,7      | 88:19,23 97:13          |                         | 114:12 121:11          | <b>graduated</b> 13:18 |
| 46:15,16                 | 104:5 116:18            | <b>G</b>                | 122:5,7 127:6          | 14:6,16,19             |
| 101:12 105:19            | 116:21 123:1            | <b>G</b> 7:11           | 129:14 137:5           | <b>gray</b> 73:9       |
| <b>fields</b> 27:6 42:8  | 133:11 137:2            | <b>gain</b> 17:13 41:16 | <b>goes</b> 67:25 68:3 | <b>great</b> 11:25     |
| 45:5,7,13,18             | 137:11,16               | 43:6                    | 74:24 75:1             | 12:19 54:16            |
| 45:23 46:2,11            | <b>Floor</b> 5:13 6:3   | <b>gained</b> 42:25     | 126:18                 | <b>ground</b> 9:20     |
| 79:12,13,18              | <b>Florissant</b> 13:21 | <b>gang</b> 48:9,10     | <b>going</b> 10:3 12:2 | <b>group</b> 18:4 47:7 |
| 80:11,12                 | 13:23 14:18             | <b>Garrison</b> 5:8     | 13:1 18:9 19:7         | 47:22,25               |
| <b>figure</b> 103:23     | <b>focus</b> 36:20 37:5 | <b>gathering</b> 134:5  | 20:4,6 23:8            | <b>groups</b> 20:12    |
| 106:25                   | 38:16 48:7              | <b>general</b> 50:17    | 30:1 34:11             | 45:21 46:17,21         |
| <b>file</b> 21:9 31:11   | 76:1                    | 81:17 82:3,4,6          | 38:4 44:19,22          | 46:25 47:19            |
| 37:12 41:19              | <b>focused</b> 71:5     | 82:11                   | 45:6 46:18             | 48:7                   |
| 45:4 48:9                | <b>focusing</b> 58:3    | <b>generated</b> 99:24  | 47:14 48:12            | <b>grown</b> 23:20     |
| 58:11,14,22,22           | 79:8                    | 101:11 103:1            | 49:5 54:9,19           | <b>guarantee</b> 63:8  |
| <b>files</b> 17:4,4 31:1 | <b>folks</b> 20:19      | <b>geographical</b>     | 55:12 59:9             | 68:8                   |
| 31:3,5,8,14,17           | <b>follow</b> 102:6     | 23:21                   | 63:19 72:5,6           | <b>guess</b> 18:20     |
| 31:21 32:11              | <b>followed</b> 37:11   | <b>give</b> 11:13 15:2  | 94:20,21,25            | 22:15 27:25            |
| 41:20 45:4               | 43:7                    | 16:14 21:4,23           | 95:4,23 99:8,8         | 28:21 55:1,5           |
| 47:10,12,13              | <b>following</b> 11:17  | 22:3,10 47:11           | 99:14 102:25           | 113:9 114:9            |
| <b>fills</b> 44:3 125:8  | 73:4 84:7               | 47:18,21 52:12          | 105:2 111:25           | 118:17 131:6           |
| <b>financially</b>       | <b>follow-up</b>        | 63:15 78:20             | 112:1 115:8            | <b>guessing</b> 118:19 |
| 138:20                   | 118:17 134:15           | 108:1 114:5,13          | 116:6 120:12           | <b>guidance</b> 94:5   |
| <b>find</b> 11:2,5       | <b>foregoing</b> 138:9  | 122:11 133:21           | 122:20 125:19          | <b>guide</b> 63:20     |
| 68:11,13                 | <b>forgot</b> 133:18    | 136:13                  | 125:19,25              | <b>Guisado</b> 5:12    |
| <b>findings</b> 93:20    | <b>form</b> 22:9 25:16  | <b>given</b> 19:20 20:4 | 126:10 128:18          | 8:12,12                |
| 93:23                    | 26:12 44:4,5            | 43:4,19 44:3            | 132:7 134:18           | <b>guys</b> 130:1      |
| <b>fingers</b> 78:21     | <b>formal</b> 14:14     | 83:8 100:13             | 137:3                  | 133:24 134:10          |
| <b>finish</b> 10:3       | <b>format</b> 106:20    | 117:5                   | <b>Gomez</b> 2:8,9,10  |                        |
| <b>first</b> 11:16 14:6  | <b>found</b> 12:2       | <b>gives</b> 22:2       | 2:11,24 50:23          | <b>H</b>               |
| 27:8,24 28:2             | <b>foundation</b>       | <b>giving</b> 24:20     | 50:25 53:12            | <b>hair</b> 27:9       |
| 39:23 58:8               | 25:17 59:18             | <b>go</b> 9:20 10:4,10  | 60:17,20 62:10         | <b>hand</b> 63:15 87:9 |
| 61:24 66:19              | <b>four</b> 16:7 17:15  | 17:21,23,24             | 62:13,16,22            | 99:14 121:5            |
| 69:5 108:17              | 33:7 76:23              | 18:17 21:19             | 66:10 67:3,11          | <b>handed</b> 62:7     |
| 116:3 117:3              | <b>fourth</b> 100:9     | 22:14,20 24:1           | 68:22 72:17,19         | 63:17 96:16,17         |
| 118:7                    | <b>frame</b> 114:9      | 24:4 25:2               | 72:25 73:25            | <b>handing</b> 60:17   |
| <b>five</b> 10:23 33:7   | <b>Franklin</b> 23:25   | 27:11 32:20             | 99:15,17               | <b>happen</b> 42:23,24 |
| 48:24 51:21              | <b>free</b> 72:20       | 33:23,25 35:17          | 130:16 132:12          | 42:25 48:1             |
| 57:3,6,13,14             | <b>front</b> 118:20     | 36:2 41:18              | 132:14,22              | 80:1 83:13             |
| 62:5                     | <b>full</b> 21:15 105:5 | 42:7 44:7               | 136:15                 | 129:8                  |
| <b>flag</b> 59:3         | <b>fully</b> 9:11       | 54:16 56:15             | <b>good</b> 8:22,23    | <b>happened</b> 71:2   |
| <b>Flojo</b> 5:19 8:17   | 103:20                  | 59:2,16 60:23           | 19:22 67:10            | 104:7                  |
| 8:17 10:7,9              | <b>Furlow</b> 1:4 4:4   | 63:21 67:20             | 78:1                   | <b>happening</b> 75:9  |
| 12:7,13 25:14            | 7:17                    | 68:22 79:12,19          | <b>Gorham</b> 80:21    | <b>happens</b> 26:10   |

MIDWEST LITIGATION SERVICES

CINDY JENNINGS 3/30/2017

|  |  |  |   |   |
|--|--|--|---|---|
| 43:2 86:20<br>123:15 129:21<br><b>head</b> 30:1 32:4<br>63:3 72:12<br>81:12 131:19<br>136:12<br><b>heads</b> 72:10<br><b>heard</b> 60:6<br>93:24 98:7<br>127:7 130:19<br><b>height</b> 27:9,25<br><b>held</b> 7:20 82:19<br>82:24 101:24<br>103:3<br><b>help</b> 15:5 16:21<br>18:1 56:11,14<br>56:25 77:5<br>102:7 103:7<br>130:14 131:1<br>132:9 134:5,8<br><b>helpful</b> 30:7<br><b>helps</b> 56:13<br>133:22<br><b>hereto</b> 138:20<br><b>Hickey</b> 13:19<br>14:6,8,16,20<br><b>high</b> 13:16 14:7<br>33:12<br><b>Highway</b> 80:5<br>91:19<br><b>hired</b> 15:16<br><b>history</b> 37:13<br><b>hit</b> 120:11 124:7<br>124:9,12 125:3<br>125:8,11,12<br>126:15,15,17<br>128:6,7<br><b>hold</b> 20:4 96:23<br><b>holds</b> 35:22<br><b>Holland</b> 2:4 5:8<br>8:2,3,21,24<br>11:8,12 25:18<br>26:16 27:3<br>29:12,20 31:25<br>32:22 39:2,7<br>40:15 46:6 | 51:2 59:20<br>60:11,13,22<br>77:16 78:7,19<br>79:3 88:21,24<br>90:15 95:3,23<br>96:3,7,11,14<br>97:14 99:13,19<br>103:15 104:11<br>104:20 105:1<br>116:6,10,16,23<br>120:19,23<br>123:2 128:15<br>134:13 136:24<br><b>hopefully</b> 9:19<br>13:3,3 23:15<br>75:8<br><b>host</b> 91:13<br><b>hot</b> 21:9 37:11<br>47:9,12,13<br><b>hours</b> 14:1<br>58:15 103:18<br>131:9<br><b>Hughes</b> 2:5 6:2<br>8:14,14 10:8<br>25:16 26:12<br>27:1 29:9,19<br>31:22 40:12<br>46:3 59:17<br>60:10 77:11<br>78:3 94:25<br>97:12 103:10<br>116:14,17,19<br>122:25 134:14<br>134:17 136:21<br><b>hypotheticals</b><br>80:10<br><hr/> <b>I</b><br><b>ID</b> 36:12 39:12<br>43:19 44:5<br>106:2<br><b>idea</b> 16:14 47:18<br>47:21<br><b>identification</b><br>11:11 22:8,9<br>44:4 96:2,10 | 96:13 116:9<br>120:22<br><b>identifiers</b> 67:18<br>68:7<br><b>identifies</b> 22:9<br><b>Illinois</b> 17:8<br>24:6 134:24<br><b>immediately</b><br>106:17<br><b>impact</b> 78:8,10<br>78:12<br><b>implemented</b><br>117:10,18,22<br><b>important</b> 25:23<br>38:3<br><b>Improper</b> 25:17<br>59:18<br><b>inaccurate</b><br>26:19,22<br><b>incident</b> 83:15<br><b>incident-track...</b><br>84:1<br><b>include</b> 17:9<br>45:19 65:11<br>77:21 79:12<br>89:3,9 90:4,6<br><b>included</b> 79:19<br>80:14 94:10<br>100:14<br><b>including</b> 77:23<br><b>incoming</b> 23:10<br><b>incorporated</b><br>71:6<br><b>incorrect</b> 57:25<br><b>INDEX</b> 2:1<br><b>indicate</b> 109:4<br><b>indicates</b> 90:3<br><b>indictment</b><br>73:10<br><b>individual</b> 18:15<br>31:19 98:8<br>120:14 125:10<br>130:10<br><b>individuals</b><br>16:19 81:25<br>83:6 128:23 | <b>individual's</b><br>21:3<br><b>inform</b> 40:18<br>49:3,11 114:25<br>130:23 131:1<br><b>information</b><br>21:19 24:25<br>25:6,12,23<br>26:6,10,18,23<br>27:4,10,22<br>28:1,6 30:25<br>31:5 41:20,24<br>41:25 42:10<br>43:10,15 45:1<br>45:4 46:1,13<br>47:14 64:3,16<br>64:22 66:23<br>73:14 76:14<br>77:3 79:21<br>90:6 127:15<br>129:6,12,17<br>134:1<br><b>informational</b><br>94:24<br><b>initially</b> 61:17<br><b>initiated</b> 119:13<br><b>initiating</b> 98:4<br><b>inlets</b> 37:12<br><b>input</b> 21:20 42:6<br><b>inputting</b> 64:15<br>64:21<br><b>inquiries</b> 21:17<br>53:21<br><b>inquiry</b> 21:13<br>44:24<br><b>installments</b><br>36:4<br><b>instance</b> 26:22<br><b>instruct</b> 17:21<br><b>instructions</b><br>122:4<br><b>instructor</b> 87:11<br><b>instructs</b> 10:10<br><b>interest</b> 54:1,10<br>54:20 57:8<br>58:2,4 98:13 | 98:19<br><b>interested</b> 31:13<br>31:20 55:5<br>69:2 138:21<br><b>interface</b> 24:24<br>56:18,23 57:2<br>57:10,12<br><b>interpret</b> 26:6<br><b>intranet</b> 98:25<br>128:20<br><b>intro</b> 43:23<br><b>introduce</b> 8:1,4<br>49:5<br><b>introduced</b><br>122:3 123:17<br><b>introduction</b><br>37:11 44:16,23<br><b>introductory</b><br>44:14,25<br>128:13<br><b>investigation</b><br>93:17<br><b>invited</b> 48:6<br><b>involve</b> 17:19<br><b>involved</b> 51:10<br>54:12 65:1<br>70:12 75:14<br>135:8<br><b>involvement</b><br>91:2<br><b>in-service</b> 22:21<br><b>Isom</b> 82:5<br><b>issue</b> 32:7 79:5<br>83:15,16 102:8<br>104:13 117:4<br>135:23<br><b>issued</b> 27:17,25<br>28:5 57:17,18<br>59:13,14 74:17<br>93:19,22 100:3<br>100:8,13 101:5<br>103:5<br><b>issues</b> 83:19,20<br>84:6 124:1<br><b>item</b> 2:13,15 3:2<br>97:15,17,24 |
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|--|---|---|--|---|
| 118:19<br><b>items</b> 96:16<br>116:11<br><b>iterations</b> 75:1   | <b>J-e-n-n-i-n-g-s</b><br>9:3   | 70:5,9,22<br>72:22 74:9,10<br>75:14,18,20<br>77:8,22,24<br>81:13,16 83:13<br>84:5,9 86:2,3<br>86:17,17 89:24<br>91:19,25 92:3<br>92:8 93:2,4<br>94:17 99:10<br>100:1 101:4,4<br>101:5 103:10<br>103:11 107:21<br>110:7,13,23<br>111:7 112:3<br>113:3,18,22<br>119:6,14,15<br>122:7 125:13<br>129:14 132:1<br>133:23 134:2<br>136:12 | 83:17 91:4,7<br>93:4,6,9<br>134:22 135:20<br><b>lawyers</b> 65:1<br>93:1<br><b>LC</b> 105:20 106:5<br>106:6 107:14<br><b>lead</b> 25:13 33:6<br>33:8 34:18<br>37:9 64:16,22<br>127:15<br><b>learn</b> 22:25 32:8<br>45:18 49:10<br>104:15<br><b>learned</b> 81:8<br>83:10 90:8<br><b>learning</b> 34:14<br><b>leave</b> 58:3<br><b>leaving</b> 119:7<br><b>led</b> 103:2,4<br><b>left</b> 100:7<br><b>legal</b> 7:23 14:14<br>64:15,21 66:5<br>66:8<br><b>legend</b> 62:10<br><b>Legislative</b> 80:7<br><b>length</b> 28:16,17<br><b>LEPAC</b> 2:12,14<br>3:1 55:19,25<br>70:7,9,11<br>75:16 78:6<br>80:22 81:8,15<br>81:17,23 83:8<br>83:11 84:7<br>90:23 91:3<br>92:18 93:1,14<br>95:7,15 96:16<br>97:18 98:17<br>116:11 118:19<br>128:18,19<br><b>LEPAC's</b> 75:19<br>98:21<br><b>letter</b> 105:24<br>108:18<br><b>letters</b> 107:16<br><b>letting</b> 125:13 | <b>let's</b> 9:20,24<br>12:10 13:14<br>20:3 23:12<br>33:4 36:20<br>50:21 58:3<br>60:15 63:10<br>66:9,10 72:17<br>72:19 76:1<br>77:2 80:10<br>104:14 105:3<br>123:25 124:6<br>124:22<br><b>level</b> 21:8,12,17<br>21:18,21,23<br>22:1,5,6 28:18<br>32:17 36:18,20<br>36:21 37:9<br>39:11 41:16<br>43:3,6 44:4,17<br>44:21 52:19<br>53:5,7,9,14,17<br>53:18,19 63:24<br>71:23 76:6<br>77:1 80:24<br>88:5,11,14<br>102:9,11 106:8<br>106:15,20,22<br>110:8,11,12,18<br>112:21,21,22<br>129:16<br><b>levels</b> 20:20,25<br>21:1 87:20<br>106:24 108:24<br>108:25 110:21<br><b>Lieutenant</b> 49:1<br>50:9 72:14<br>98:1,7 130:15<br>130:16 132:12<br>132:14,22<br>136:15<br><b>life</b> 111:8<br><b>light</b> 73:9<br><b>line</b> 63:22,22<br>105:18,21,21<br>107:13,14<br>108:9,13 109:8 |
| <b>J</b><br><b>J</b> 5:8<br><b>Jackson</b> 24:3<br><b>January</b> 62:13<br>62:17 66:11<br>67:4 70:3<br>73:19,22 74:5<br>74:6,9 82:25<br>101:6 121:16<br>121:17,18<br>133:21,23<br><b>Jeff</b> 49:1 72:14<br>98:1,7<br><b>Jefferson</b> 23:25<br><b>Jennings</b> 1:11<br>4:12 7:16 8:22<br>9:2 11:9 79:4<br>95:25 103:14<br>116:7,18,19,20<br>116:22 118:20<br>118:21 120:20<br>136:22 137:14<br><b>job</b> 26:1,5 49:18<br>95:22<br><b>John</b> 15:23 86:4<br><b>Johnson</b> 24:5<br><b>join</b> 26:14 31:24<br>77:13 123:1<br><b>Jon</b> 1:7 4:7 8:15<br>92:6<br><b>judges</b> 19:6<br>135:13<br><b>judge's</b> 69:3<br><b>July</b> 69:14,15<br>70:2 74:1<br>121:17<br><b>jump</b> 10:2<br><b>jurisdictions</b><br>31:20 91:9<br><b>justice</b> 17:4<br>129:3 | <b>K</b><br><b>Kansas</b> 17:5,6,7<br>17:7 24:1,2,4,5<br>35:16,25 93:8<br>134:23 135:2<br><b>Karen</b> 35:3<br>51:14 55:15<br>61:14,24 65:6<br><b>Karl</b> 35:3 51:14<br>61:14<br><b>keep</b> 9:10 10:11<br>38:20 86:25<br>87:20 88:7,13<br>100:18,23<br>111:6<br><b>keeping</b> 110:24<br>110:25<br><b>kept</b> 29:6 84:11<br><b>Kevin</b> 8:16<br><b>kind</b> 9:13 18:5,7<br>32:5 38:16<br>56:13 63:15<br>72:7 73:9 80:6<br>101:17 122:22<br>129:17<br><b>know</b> 9:7,16<br>10:2 12:11,12<br>12:14,16 19:16<br>23:9 25:3,4<br>26:2,7 27:23<br>27:24 28:18,19<br>31:14,21 38:14<br>38:17,17 39:3<br>39:15,25 40:4<br>40:7,9 41:18<br>45:13 46:1,13<br>47:8,9 51:7,15<br>51:17,18 52:6<br>52:9,10 55:6<br>56:18,23 60:11<br>61:11 62:1<br>63:1,6 64:25<br>65:13,15 69:24 | <b>L</b><br><b>labeled</b> 105:19<br>107:8<br><b>language</b> 69:5<br>69:25 70:4,16<br>71:5,16 81:1<br>89:11<br><b>Larry</b> 15:20,23<br><b>launch</b> 49:14<br><b>Laura</b> 8:16<br><b>law</b> 2:16,20 5:19<br>14:12 16:17,24<br>17:2,4 18:22<br>19:2 20:7<br>34:21,23 35:1<br>45:3 55:11,17<br>66:22 73:13                        | <b>learn</b> 22:25 32:8<br>45:18 49:10<br>104:15<br><b>learned</b> 81:8<br>83:10 90:8<br><b>learning</b> 34:14<br><b>leave</b> 58:3<br><b>leaving</b> 119:7<br><b>led</b> 103:2,4<br><b>left</b> 100:7<br><b>legal</b> 7:23 14:14<br>64:15,21 66:5<br>66:8<br><b>legend</b> 62:10<br><b>Legislative</b> 80:7<br><b>length</b> 28:16,17<br><b>LEPAC</b> 2:12,14<br>3:1 55:19,25<br>70:7,9,11<br>75:16 78:6<br>80:22 81:8,15<br>81:17,23 83:8<br>83:11 84:7<br>90:23 91:3<br>92:18 93:1,14<br>95:7,15 96:16<br>97:18 98:17<br>116:11 118:19<br>128:18,19<br><b>LEPAC's</b> 75:19<br>98:21<br><b>letter</b> 105:24<br>108:18<br><b>letters</b> 107:16<br><b>letting</b> 125:13  | <b>let's</b> 9:20,24<br>12:10 13:14<br>20:3 23:12<br>33:4 36:20<br>50:21 58:3<br>60:15 63:10<br>66:9,10 72:17<br>72:19 76:1<br>77:2 80:10<br>104:14 105:3<br>123:25 124:6<br>124:22<br><b>level</b> 21:8,12,17<br>21:18,21,23<br>22:1,5,6 28:18<br>32:17 36:18,20<br>36:21 37:9<br>39:11 41:16<br>43:3,6 44:4,17<br>44:21 52:19<br>53:5,7,9,14,17<br>53:18,19 63:24<br>71:23 76:6<br>77:1 80:24<br>88:5,11,14<br>102:9,11 106:8<br>106:15,20,22<br>110:8,11,12,18<br>112:21,21,22<br>129:16<br><b>levels</b> 20:20,25<br>21:1 87:20<br>106:24 108:24<br>108:25 110:21<br><b>Lieutenant</b> 49:1<br>50:9 72:14<br>98:1,7 130:15<br>130:16 132:12<br>132:14,22<br>136:15<br><b>life</b> 111:8<br><b>light</b> 73:9<br><b>line</b> 63:22,22<br>105:18,21,21<br>107:13,14<br>108:9,13 109:8 |

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|---|--|--|---|--|
| 109:9,25 119:1<br>137:5,5<br><b>lines</b> 105:10<br><b>list</b> 2:7 87:20<br>88:4,13 107:1<br>110:14<br><b>listed</b> 13:9 27:22<br>57:10 66:19<br>67:8 80:11<br>101:21<br><b>listening</b> 18:3<br><b>listing</b> 114:13<br><b>lists</b> 11:18<br><b>Litigation</b> 4:14<br>6:7,13 7:21,24<br><b>little</b> 17:1 18:12<br>22:15 23:12<br>33:4 36:25<br>41:9 55:22<br>56:12 68:25<br>113:9 114:2<br><b>live</b> 123:19<br><b>lives</b> 123:15<br><b>LLP</b> 5:8<br><b>local</b> 30:25 31:9<br>31:14,17 32:14<br>32:15,17,19<br>119:2,10,16<br><b>locally</b> 31:11<br><b>locate</b> 106:5,6<br>120:4,5,9<br>123:12,18<br>124:3 125:17<br>125:18,22<br><b>located</b> 13:22<br>123:14,15,22<br><b>locates</b> 120:16<br>122:2 123:5<br><b>locate/detainer</b><br>3:4 121:6<br>122:21<br><b>Locust</b> 5:5<br><b>Logistically</b><br>132:9<br><b>logistics</b> 41:24<br><b>long</b> 12:15 13:25 | 15:7 28:9,17<br>29:4,21,24<br>34:17 35:13<br>82:6,11,19,24<br>83:3 87:17<br>89:18 101:24<br>103:2 114:19<br>116:5 123:14<br><b>longer</b> 33:2<br>87:19 111:6<br>123:19<br><b>look</b> 12:24 38:15<br>38:24 50:21<br>51:25 57:5<br>60:15 62:8<br>63:10 66:9<br>72:17 73:25<br>90:15 99:23<br>100:6 102:12<br>105:18 108:3,9<br>117:2 122:7,18<br><b>looked</b> 13:7<br>68:17 77:20<br>87:8 121:18<br><b>looking</b> 38:2<br>67:11,25 68:15<br><b>lost</b> 32:2<br><b>lot</b> 23:15 90:23<br>90:24 130:13<br><b>Lou</b> 85:24 86:3<br><b>Louis</b> 4:15 5:5<br>5:19,20 6:2,8<br>6:14 7:21 8:15<br>11:19 17:5<br>23:18,24,24<br>35:14 47:3<br>48:21,25 50:10<br>50:16 88:5,10<br>91:22 93:7<br>109:14,23<br>112:3,23<br>123:25 124:10<br>124:22,25<br>125:9,10,18<br>126:2,2,9,14<br>127:3,8 130:7 | 130:20 134:23<br>135:5 136:5,8<br><b>lower</b> 129:16<br><hr/> <b>M</b><br><b>machine</b> 7:5<br><b>Madison</b> 24:6<br><b>main</b> 28:4<br><b>maintain</b> 19:11<br>87:14 100:2,4<br>100:5,12<br><b>maintained</b><br>24:14 69:4,10<br>83:19 84:22<br>100:14<br><b>maintains</b><br>100:16,22<br><b>making</b> 48:9<br>50:3 54:12,14<br>54:18 75:15<br><b>man</b> 11:6,13<br><b>manager</b> 81:18<br>82:3,4,7,12<br><b>manages</b> 129:6<br><b>mandated</b> 80:3<br><b>manual</b> 38:14<br>70:5,17 71:17<br>73:4 74:13,14<br>74:17 89:11<br>98:3 121:6,22<br>122:12<br><b>manuals</b> 64:13<br>64:19 87:8<br>121:2,16,18<br><b>Marc</b> 15:24,25<br>70:23 82:23<br>103:11,16<br>133:18<br><b>March</b> 1:12 4:13<br>7:14 93:20<br><b>mark</b> 11:9 87:2<br>95:24 96:7<br>114:17 116:7<br>120:20<br><b>marked</b> 2:8,9,10<br>2:11,24,25 | 11:10 50:23,24<br>60:17,19 96:1<br>96:9,12 99:15<br>99:16 104:21<br>104:23 116:8<br>120:21<br><b>Mary</b> 130:17<br><b>material</b> 34:8,14<br>38:2 65:4<br>84:17 121:2<br><b>materials</b> 19:16<br>33:24 34:1,3<br>34:10 50:21<br>61:6 65:1<br>84:15,21 87:9<br>87:14 128:16<br>130:23 131:1<br>134:5<br><b>matter</b> 7:17<br><b>matters</b> 11:17<br>11:18<br><b>mean</b> 19:13 31:2<br>32:20 33:15<br>41:8 48:2<br>65:13 67:7<br>69:11 71:18<br>81:21 90:18<br>91:13 93:3<br>100:5 105:9,11<br>109:3,10<br>117:14 121:24<br>129:9,10,18<br>132:3 136:11<br><b>meaning</b> 21:16<br>22:16 31:4<br>110:3 127:20<br>129:18<br><b>means</b> 41:21<br>90:7 108:5<br>109:4 138:12<br><b>media</b> 93:18<br><b>medical</b> 9:12<br><b>meet</b> 12:6 31:6<br>49:22 111:8<br>119:21<br><b>meeting</b> 2:18,22 | 48:3,18 49:6<br>49:25 54:8<br>55:23 71:12<br>74:18 75:24<br>81:19,20,21,24<br>83:8 84:14,19<br>85:20,22 92:18<br>95:10,11,15<br>97:16,18 98:22<br>99:1 116:12<br><b>meetings</b> 47:25<br>48:13,17,19<br>49:2,3,24 50:6<br>50:10,13 54:5<br>56:2 70:12<br>71:8 74:12<br>75:2 82:15<br>83:8 84:11,11<br>84:16 85:3,12<br>85:15,17 91:21<br>92:24 93:13<br>95:8 96:18<br>97:21 99:4,6<br>128:20<br><b>member</b> 91:10<br>92:16 112:4,13<br>112:24 113:11<br>132:6<br><b>members</b> 91:7<br>92:13,15 113:3<br>113:4,6,18<br><b>mention</b> 89:4,24<br><b>mentioned</b><br>18:11 27:15<br>44:13 48:12<br>54:19 61:7<br>65:25 72:2<br>80:22 82:15<br>83:6 84:10<br>86:7,21 89:19<br>90:24 127:18<br>128:19 136:3<br><b>mentions</b> 89:9<br><b>Merit</b> 4:18<br>138:3<br><b>Meschke</b> 2:25 |
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|  |   |   |   |   |
|--|---|---|---|---|
| 15:24,25 23:14<br>37:22 70:23<br>75:21 82:23<br>103:11,16,20<br>103:25 104:21<br>104:24 133:18<br>133:19<br><b>message</b> 73:10<br>74:2 77:21<br>80:25 89:13<br>90:2<br><b>messaging</b> 90:2<br><b>mhughes2@st...</b><br>6:4<br><b>Michael</b> 6:2<br>8:14<br><b>middle</b> 73:8<br><b>Midwest</b> 4:14<br>6:7,13 7:21,24<br><b>Mike</b> 103:15<br><b>miles</b> 109:5,12<br><b>mind</b> 64:25<br><b>mine</b> 33:20 68:3<br>121:10<br><b>minute</b> 37:5<br>96:20,23<br><b>minutes</b> 2:18,22<br>12:18,22 84:12<br>84:14 92:24<br>95:7,11,15,20<br>96:15,17,19<br>97:16,17,20<br>98:21 99:1,1,2<br>99:9 116:12<br>126:19 127:1,1<br>127:10,13<br>133:11<br><b>misdemeanor</b><br>28:14<br><b>misdemeanors</b><br>32:18<br><b>missing</b> 47:16<br>52:25 53:4<br>61:5 67:20<br>97:7 120:17<br><b>Missouri</b> 1:2 4:2 | 4:16,20 7:19<br>7:21 13:23<br>17:6 91:19<br>109:20 138:7<br><b>misspoke</b> 41:4<br>72:18<br><b>MO</b> 4:17 5:5,20<br>6:3,8,13,14<br>138:6<br><b>moment</b> 73:2<br><b>monitor</b> 49:18<br><b>Monroe</b> 24:7<br><b>month</b> 100:9,13<br>100:18 114:14<br><b>monthly</b> 136:17<br><b>months</b> 34:12,13<br>36:13 67:6<br>103:21 132:8<br>132:23<br><b>morning</b> 8:22,23<br>41:10 79:5<br><b>move</b> 56:3 99:13<br>104:4<br><b>MULES</b> 29:5,14<br>29:17,22 30:10<br>30:20 31:18<br>32:10 33:1<br>40:5,10,14<br>49:8,11,13,15<br>49:22 50:6<br>57:21 58:8,13<br>58:17,19,21,24<br>59:2,4,5 69:4<br>69:10,17,17<br>75:22 85:3,12<br>85:15,19 90:1<br>90:9,9,10<br>105:9,11,12,14<br>105:15,16<br>109:21 111:11<br>111:15,16,19<br>111:20,24,25<br>112:1,11,12<br>113:7,12,19<br>117:10,22<br>127:22 129:7 | 129:11 130:4<br><b>MULES-quali...</b><br>117:23 118:11<br><b>multiple</b> 67:8<br>68:2 92:11<br><hr/> <b>N</b><br><hr/> <b>N</b> 5:1 7:11<br><b>name</b> 7:22,22<br>8:2,24 9:1,1<br>15:19 27:8,8<br>27:23,24 28:3<br>58:11 86:19<br>88:4,4,13<br>102:23 132:1<br><b>named</b> 58:14<br><b>names</b> 85:25<br>130:10<br><b>Nathaniel</b> 5:4<br>8:6<br><b>national</b> 31:1,3<br><b>naturally</b> 129:8<br><b>ncarroll@arc...</b><br>5:6<br><b>NCIC</b> 29:5<br>30:11 40:5,11<br>49:8,11,16<br>57:20 58:8,13<br>58:16,22 59:2<br>59:6 69:4,11<br>69:17 80:3<br>105:13,16<br>127:3,22 129:7<br>129:11,24<br><b>necessarily</b><br>121:24<br><b>necessary</b> 38:18<br>75:6<br><b>need</b> 12:12,16<br>22:15 32:10<br>33:10 63:21<br>72:21 85:18<br>103:23 104:12<br>113:9 122:1<br>133:17 137:16<br><b>needed</b> 41:25 | 42:11 45:2<br>46:11 83:13,13<br>122:4 134:5<br><b>needs</b> 45:23<br><b>neither</b> 138:15<br><b>Net</b> 19:8<br><b>never</b> 26:21<br>44:11 105:16<br><b>new</b> 5:9,14 34:5<br>34:9,12 39:19<br>44:4,6 46:18<br>48:4 49:4 71:5<br>71:16 73:19<br>74:17 76:1<br>78:8,12 84:1,2<br><b>nitty-gritty</b><br>23:16<br><b>Nods</b> 81:12<br>131:19<br><b>normally</b> 34:22<br>115:8<br><b>North</b> 4:15 6:8<br>6:14<br><b>Notary</b> 4:19 7:6<br>138:6<br><b>notes</b> 63:21<br><b>notice</b> 95:2<br><b>notified</b> 80:6,24<br>114:11 126:24<br><b>notify</b> 75:6 80:5<br>80:6<br><b>November</b> 3:2<br>117:20<br><b>number</b> 7:18<br>20:5 37:2<br>39:25 67:25<br>100:10,12,14<br>100:17,19<br>101:7 108:10<br>113:5 121:11<br><b>NY</b> 5:9,14<br><hr/> <b>O</b><br><hr/> <b>O</b> 7:11<br><b>object</b> 10:9<br>25:16 26:12 | 27:1 29:9<br>103:10 122:25<br><b>objection</b> 10:11<br>25:14 29:19<br>31:22 32:13<br>40:12 46:3<br>59:17 60:10<br>77:11 78:3<br><b>observe</b> 17:22<br><b>obtain</b> 24:21<br><b>obviously</b> 20:1<br>22:22<br><b>occur</b> 36:14<br>48:14<br><b>occurred</b> 50:12<br>132:25<br><b>occurs</b> 95:10<br><b>offense</b> 27:13<br>28:12,18 32:15<br>32:19 90:22<br><b>offenses</b> 69:18<br><b>office</b> 6:2 8:18<br>84:23<br><b>officer</b> 20:17<br>21:6,23 22:3,4<br>23:7 24:25<br>27:21 32:25<br>44:4 47:14<br>59:16 66:22<br>71:23 73:14<br>76:6,16 90:21<br>106:7 107:19<br>111:10 112:6<br>112:21 114:24<br>115:5,14,19<br>124:6,8 125:1<br>126:6<br><b>officers</b> 17:10<br>20:8 21:7,11<br>21:15,21 22:1<br>22:20,25 23:10<br>24:20 30:15<br>32:5 35:21<br>38:16 39:9,23<br>40:10 41:16<br>42:3 43:6 45:8 |
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|--|---|--|--|--|
| 45:11,24 46:12<br>48:10 56:18,20<br>60:7 63:23<br>71:14,18 79:19<br>112:25 128:1<br>131:12<br>officer's 20:18<br>officer/agency<br>98:4<br>offices 4:14<br>officials 135:13<br>oh 34:12 62:4<br>68:13 94:19<br>101:4,7 112:22<br>133:14 136:13<br>okay 9:8,18<br>10:14 11:25<br>12:22 22:12,19<br>23:8 32:3 33:4<br>37:10 44:25<br>58:7 63:7 64:6<br>84:10 94:19<br>96:22 97:10,25<br>104:19 106:11<br>108:16 118:8<br>118:25 124:25<br>134:20 135:5<br>136:3,15<br>137:11<br>old 84:3 116:4<br>Olive 5:20<br>onboarding<br>18:5<br>once 9:23 10:24<br>12:18 28:8<br>35:19,21 36:12<br>39:12 44:2,2<br>54:16 55:13<br>106:25 110:2<br>112:17 113:12<br>123:14 125:22<br>126:1<br>ones 47:8 80:13<br>86:3 131:21<br>one-day 44:17<br>one-page 76:18 | <b>one-to-one</b><br>122:9<br><b>online</b> 37:2<br>38:25 44:12<br>117:9,17,21<br>118:5<br><b>on-job</b> 36:14<br><b>oOo</b> 4:10 7:1,10<br>137:20<br><b>operational</b><br>49:16 80:4<br>129:24<br><b>operations</b><br>18:18<br><b>operator</b> 22:8<br>42:12 44:3,22<br><b>operators</b> 53:16<br>53:18 64:3<br><b>opposed</b> 25:2<br><b>option</b> 24:20<br>25:2 59:23,23<br>60:2<br><b>options</b> 60:3<br>76:24 79:11<br><b>oral</b> 19:15<br><b>order</b> 22:4 24:16<br>24:17 30:2<br>40:10 46:14<br>54:20 69:3<br>76:15 105:6,7<br>106:17 107:5,8<br>107:23 108:7<br>110:7 111:11<br>111:16 112:10<br>117:11,23<br>118:11<br><b>orders</b> 29:8<br>50:17 54:9<br>100:7 135:2,3<br><b>ordinance</b> 28:15<br><b>ordinances</b><br>32:17<br><b>ORI</b> 27:12,13,15<br>27:16<br><b>original</b> 3:7<br><b>originating</b> | 120:8 126:23<br>127:17<br><b>originator</b><br>124:10<br><b>outside</b> 32:20<br>49:7 93:2 95:2<br>108:5<br><b>outstanding</b><br>114:17 115:11<br><b>overbroad</b> 26:13<br>78:4<br><b>overlap</b> 32:5<br><b>overview</b> 63:16<br><b>owns</b> 123:23<br><b>oOo</b> 1:3 4:3 7:12<br><hr/> <b>P</b><br><b>P</b> 5:1,1 7:11<br>108:18,22<br><b>pad</b> 49:14<br><b>page</b> 2:2 11:16<br>62:9 63:14,14<br>63:18,18,22,22<br>66:9,12 67:19<br>67:22,25 68:2<br>68:15,22 72:17<br>72:19,25 73:5<br>73:8,25 74:1,2<br>104:17 105:3<br>117:3 118:7<br>121:9,10,12<br>122:20 137:5,5<br><b>pagination</b><br>67:19<br><b>paper</b> 38:10<br><b>paragraph</b><br>68:18 117:2<br>118:6,23<br><b>paralegals</b> 19:7<br><b>parallel</b> 111:11<br><b>part</b> 26:1 42:19<br>43:11,12,13<br>44:18 48:10<br>52:12 68:6<br>77:12 90:1<br>95:21 115:10 | 115:18 118:16<br>120:16 121:1<br>123:20<br><b>partial</b> 69:19<br>108:5,8,22<br>109:3,4<br><b>participate</b><br>46:17<br><b>participated</b><br>47:9<br><b>participating</b><br>34:23<br><b>particular</b> 30:11<br>32:20 104:6<br><b>parties</b> 138:17<br>138:20<br><b>Partin</b> 8:16<br><b>pass</b> 39:10,23<br>40:1 43:18<br>112:2<br><b>passed</b> 59:6<br><b>Patrol</b> 80:5<br>91:20<br><b>Paul</b> 5:8 8:3<br><b>PD</b> 130:18<br><b>pedigree</b> 27:10<br><b>pending</b> 72:22<br><b>people</b> 16:6<br>17:15 20:11,14<br>20:16,22 34:20<br>34:21 48:8<br>64:14,20 72:6<br>86:1,13 92:14<br><b>percentage</b><br>39:22 113:22<br><b>period</b> 39:15<br>52:4 110:17<br>117:21 119:23<br>120:2 122:12<br><b>permissible</b><br>135:19,23<br><b>person</b> 32:15<br>47:15,16 54:1<br>54:20 57:7<br>58:4 61:5<br>66:24,25 73:15 | 73:17 76:9,12<br>76:13,22 82:15<br>91:12 98:5,13<br>98:18 101:20<br>101:24 102:3,7<br>103:2 104:1,2<br>104:3 105:6<br>106:2 107:19<br>109:6 115:8<br>120:7,8,18<br>123:11 124:7<br>125:1,3,14<br>126:7,8 127:6<br>127:10<br><b>personally</b> 51:10<br>89:14 92:17<br><b>personnel</b> 19:8<br><b>persons</b> 53:1<br>54:10 58:2<br><b>person's</b> 64:22<br><b>perspective</b> 60:1<br><b>Pezold</b> 130:16<br>133:2,3<br><b>phone</b> 16:21<br>18:2,3 115:2<br>115:19 133:1<br><b>physical</b> 121:11<br><b>pick</b> 126:10<br><b>place</b> 10:21<br>35:12 75:5<br>79:18 120:9<br>123:12,17<br>125:17,24<br><b>placed</b> 70:7<br>78:17 125:22<br><b>plaintiffs</b> 1:5 4:5<br>4:13 5:3 7:3<br>8:4,8,10,13<br>104:21<br><b>please</b> 7:25<br>31:15 40:6<br>43:25 58:20<br>64:18<br><b>plural</b> 46:5<br><b>point</b> 13:11<br>43:20 44:9 |
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|---|--|--|---|--|
| 63:20 72:21<br>120:1 127:4,19<br>134:3<br><b>points</b> 13:2 18:8<br>38:3<br><b>police</b> 11:19<br>17:9 18:23<br>20:8,16,18<br>21:5,7 22:20<br>22:21,23,25<br>23:7,8,10,19<br>24:10 30:15<br>31:20 35:19<br>41:16 45:22,25<br>46:4,7,8,10<br>47:4 48:21,25<br>50:17 57:18<br>59:13 60:3<br>69:2 88:6,10<br>91:8,22 92:5<br>93:17 112:4,23<br>123:25 124:4<br>130:7,20<br>131:11<br><b>policies</b> 50:17<br>94:6 129:20<br>130:2<br><b>policy</b> 2:17,21<br>55:11,17 59:25<br>91:4 127:23<br><b>Poor</b> 124:21<br><b>pops</b> 101:7<br><b>pop-up</b> 76:14,18<br><b>position</b> 15:16<br>76:24 82:24<br><b>positions</b> 15:3<br><b>possible</b> 111:17<br><b>possibly</b> 71:8<br>99:9 101:12<br>124:17,18<br><b>post</b> 49:13 72:8<br>72:8<br><b>posted</b> 95:16<br>98:17 99:2<br>129:22<br><b>posting</b> 129:13 | <b>postings</b> 49:19<br><b>potential</b> 91:1<br><b>potentially</b><br>134:7<br><b>Powell</b> 82:10<br>84:6<br><b>PowerPoint</b><br>87:12<br><b>PowerPoints</b><br>87:10<br><b>pre</b> 117:19<br><b>preceded</b> 82:9<br>83:1<br><b>prematurely</b><br>109:19<br><b>prepare</b> 12:3,6<br>12:23 16:20<br>33:21<br><b>prepared</b> 11:22<br><b>preparing</b> 86:21<br><b>present</b> 7:25<br>74:6 81:18,18<br>81:20 83:24<br>115:22<br><b>presented</b> 54:8<br>84:19 117:8,11<br>117:15,24<br>118:2,12<br><b>presently</b> 23:23<br><b>press</b> 125:7<br><b>presumably</b><br>75:9<br><b>previous</b> 34:6<br>62:23 63:1<br><b>previously</b> 2:8,9<br>2:10,11,24,25<br>23:14 50:23,24<br>60:17,19 96:5<br>97:21 99:15,16<br>104:23 107:14<br><b>print</b> 138:13<br><b>prior</b> 34:2 66:25<br>69:2 71:14<br>73:16 74:8<br>75:6 84:2<br>89:10 91:16 | 98:6 110:6<br>132:15<br><b>private</b> 18:25<br>20:15,19,22<br>129:3<br><b>privileged</b> 12:12<br><b>probable</b> 65:12<br>65:14,16,20,22<br>66:23 69:6,24<br>70:3,16 73:15<br>76:10,16,25<br>77:6,22 80:25<br>89:3,5,6,9,20<br>90:3,17,21<br>98:5<br><b>probably</b> 13:5,6<br>20:6 71:9<br>83:14 103:17<br>130:12 132:23<br><b>procedure</b> 124:5<br><b>procedures</b><br>59:25 94:6<br>102:6 122:1<br>123:16 130:2<br><b>proceedings</b><br>17:25<br><b>process</b> 39:9<br>74:25 80:8<br>81:5 114:3,6<br>114:15 115:12<br>115:18 117:9<br>117:17,21<br>118:16 119:13<br>123:24 128:6,7<br>129:6 136:7<br><b>produce</b> 83:24<br>103:17<br><b>produced</b> 4:12<br>103:11 116:12<br><b>program</b> 14:10<br>14:11 18:5<br>19:8 46:11<br><b>programmer</b><br>74:25 75:10<br><b>programmers</b><br>45:24 79:12,21 | 80:19,24 81:9<br>86:5<br><b>programming</b><br>45:17 55:14<br>70:18,20 85:24<br><b>properly</b> 135:15<br><b>prosecutor</b><br>115:13<br><b>prosecutors</b><br>18:25 19:6<br><b>protections</b><br>112:10<br><b>provide</b> 25:2<br>30:9 46:1,13<br>120:15 130:21<br><b>provided</b> 39:4<br>67:14 88:2<br><b>provides</b> 24:24<br>30:24<br><b>providing</b> 18:9<br>59:22<br><b>PS</b> 19:8<br><b>Public</b> 4:19 7:6<br>138:7<br><b>publicly</b> 98:22<br>98:22 129:4<br><b>published</b> 52:13<br><b>Pudloski</b><br>15:24 83:2,3<br><b>pull</b> 47:15<br>101:14 102:10<br>110:5,18 134:1<br><b>punch</b> 106:9<br><b>purely</b> 10:12<br><b>purge</b> 110:1<br>111:2 119:21<br><b>purged</b> 110:3,17<br>110:21,25<br><b>purpose</b> 22:23<br>24:20,23 49:2<br>59:15,22,24<br>77:18,23<br>110:23 111:1<br>114:23 133:5<br><b>purposes</b> 94:24<br>94:24 | <b>put</b> 18:1 45:7<br>46:15 60:14<br>94:18 99:14<br>108:2 109:12<br>123:21 126:3<br>129:12<br><b>p.m</b> 137:19<br><hr/> <b>Q</b> <hr/> <b>qualifications</b><br>22:3 33:10<br>93:3<br><b>qualified</b> 39:16<br>66:6 77:6<br>109:21 117:10<br><b>qualifies</b> 85:17<br><b>qualify</b> 30:25<br>31:2<br><b>quarterly</b> 48:3<br>50:14,15<br><b>question</b> 9:8<br>10:2,9,11<br>18:20 19:22,24<br>21:25 25:17<br>26:13 28:3,4<br>30:19,23 32:2<br>36:9 46:4<br>59:21 65:18<br>69:5,9 72:22<br>72:23 77:15<br>78:11 97:23<br>118:9,17<br>128:18<br><b>questioned</b><br>103:12<br><b>questioning</b><br>24:10,11 65:23<br>66:21 69:2<br>73:12 89:6,20<br>90:4,18,19,20<br><b>questions</b> 8:25<br>9:5 12:20 28:2<br>37:3,19,23<br>38:1,11,12,17<br>40:19,24 55:21<br>94:14,22 95:1 |
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|   |  |  |   |   |
|---|--|--|---|---|
| 95:5,6 99:9,11<br>103:13 133:7<br>135:1<br><b>queue</b> 102:19<br><b>quick</b> 78:19<br><b>Quinby</b> 4:16<br>6:12 7:5,22<br>138:3,25 | 72:15 103:18<br>103:18 104:6,9<br>134:4<br><b>receives</b> 72:9,12<br><b>receiving</b> 98:11<br><b>recertify</b> 39:14<br>39:19<br><b>Recess</b> 78:25<br><b>recite</b> 29:25<br><b>reclarify</b> 63:23<br><b>recognize</b><br>120:24<br><b>recommenda...</b><br>80:23 98:9<br><b>recommenda...</b><br>56:1<br><b>recommended</b><br>98:2<br><b>reconfirmation</b><br>120:10<br><b>record</b> 7:14 8:19<br>9:1 10:12<br>17:13 31:10<br>32:21 35:10<br>45:7 57:7,16<br>57:17 58:22,24<br>58:25 59:4,8,8<br>59:13 60:2<br>66:19,22 68:19<br>68:19 69:1<br>73:13 75:18<br>76:5 78:24<br>79:2 86:8,11<br>86:14 100:19<br>100:23 101:13<br>103:15 104:5<br>104:12 105:13<br>105:14 106:3<br>106:12 107:6<br>107:18,22<br>108:3 109:21<br>109:22 110:2,5<br>111:4,5,7<br>114:16,18,19<br>115:6,7,9<br>120:7,8,12 | 123:11,13,14<br>123:16,18,18<br>123:22,23<br>124:10 125:18<br>125:24 126:3<br>126:12 127:14<br>137:13<br><b>recorded</b> 35:8<br><b>recording</b> 87:3<br><b>records</b> 21:10<br>21:13 32:16<br>42:5,9 53:25<br>53:25 54:1,1,2<br>59:25 69:3,10<br>69:18 84:11<br>100:11,17<br>106:21,23<br>110:22 112:7<br>114:13 115:22<br>115:22 116:3<br>117:7,11,23<br>118:11,15<br>119:10,11<br>129:18,19<br>134:1,1 136:14<br><b>recruit</b> 44:6<br>131:7,8 132:6<br>132:7<br><b>red</b> 78:17<br><b>reduced</b> 138:13<br><b>refer</b> 89:3<br><b>reference</b> 63:20<br>65:18<br><b>references</b> 65:19<br><b>referred</b> 55:18<br>82:1 107:3,4<br><b>referring</b> 127:19<br><b>regard</b> 43:4<br><b>regarding</b> 11:17<br>69:6<br><b>REGIS</b> 111:19<br><b>Registered</b> 4:18<br>138:3<br><b>registration</b><br>21:9<br><b>registrations</b> | 37:13<br><b>regular</b> 23:3<br>49:23,24 86:20<br>130:6,11,12<br>132:18<br><b>REJIS</b> 8:18<br>10:19 11:7,20<br>14:18,19,23<br>15:3,8 18:6<br>19:13 20:25<br>22:10 23:13,17<br>23:18 24:14,17<br>24:20,24 25:1<br>25:1,7,9,10<br>26:10,18 27:5<br>28:10 30:10,19<br>30:24 31:10,17<br>32:11,21,23<br>33:1,11 36:17<br>37:10 39:6,11<br>39:13,18 40:19<br>40:22 41:11<br>42:12 43:20<br>44:16,23 45:11<br>45:13,22 46:10<br>46:11 47:2<br>49:7,18 50:13<br>50:22 56:23<br>57:2,9,12<br>58:10 59:1<br>65:7 66:25<br>69:4,10 72:10<br>73:16 79:10,14<br>79:21 80:13,20<br>81:15,23 83:7<br>83:12,19 84:4<br>85:6,7,15<br>88:11 91:10<br>93:10,12 94:6<br>95:11,14,16,19<br>98:2,3,6 99:24<br>100:2,12,15,22<br>101:3,6 102:3<br>102:7 103:1,7<br>105:6,8,13,17<br>107:4,7 108:6 | 110:3 111:10<br>111:13,14,15<br>111:18,24<br>112:1,2,14,25<br>112:25 113:7,9<br>113:12,19,21<br>114:25 119:1<br>119:11,16,20<br>124:15,16,20<br>127:21,22<br>128:12,22,24<br>129:7,11 132:7<br>135:15 136:18<br><b>REJIS's</b> 59:22<br>60:1 91:14<br><b>REJIS-created</b><br>58:24<br><b>REJIS-genera...</b><br>99:23<br><b>related</b> 11:18<br>134:11 138:16<br><b>relates</b> 41:22<br>42:23<br><b>relating</b> 47:22<br>100:22 114:3<br><b>relative</b> 138:19<br><b>relevant</b> 13:8<br>104:15 134:7<br><b>remain</b> 28:9,24<br>29:22 33:1<br><b>remarks</b> 109:11<br>109:11<br><b>remember</b> 40:25<br>71:1 91:15<br>98:11 132:24<br>133:8<br><b>reminders</b><br>136:17<br><b>removed</b> 110:4<br>119:19 120:1<br><b>Renée</b> 7:22<br>138:25<br><b>RENÉE</b> 4:16<br>6:12 7:5 138:3<br><b>repeat</b> 25:8 40:6<br>64:18 118:9 |
|---|--|--|---|---|

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CINDY JENNINGS 3/30/2017

|                        |                         |                         |                        |                         |
|------------------------|-------------------------|-------------------------|------------------------|-------------------------|
| <b>reply</b> 126:20    | 27:18 57:24             | 102:3 103:25            | 119:1 121:12           | 100:10 102:24           |
| <b>report</b> 24:10    | 60:7 66:1               | 104:1,3 105:20          | 122:20 136:13          | 104:15 105:3,9          |
| 93:19,22,25            | 89:25                   | 105:23 108:18           | <b>scenario</b> 32:6   | 105:19,19,23            |
| 94:3,7,10              | <b>requirements</b>     | 114:24 115:4            | <b>scenarios</b> 32:6  | 106:14,21,23            |
| 99:23 101:9,10         | 77:10 80:12             | 121:12,19,20            | 57:3,6                 | 106:25 107:2            |
| 101:21 102:2           | <b>requires</b> 89:19   | 123:6 132:10            | <b>school</b> 13:16,19 | 107:16 108:3            |
| 102:10,25              | 90:17                   | 136:21 137:4            | 14:7 33:13             | 108:12 109:9            |
| 103:6,8,16             | <b>requiring</b> 77:21  | <b>rights</b> 5:13 8:11 | <b>schooled</b> 101:16 | 109:17 111:21           |
| 104:7 114:11           | <b>Reset</b> 77:5       | 8:13 98:24              | <b>scope</b> 95:2,4    | 114:18 118:4            |
| <b>reporter</b> 3:8    | <b>respond</b> 126:25   | <b>RMK</b> 109:9        | <b>screen</b> 27:11    | 119:1 121:13            |
| 4:17,17,18,19          | <b>response</b> 41:19   | <b>RMR</b> 6:12         | 46:16 70:8             | 122:7 128:15            |
| 6:11 7:6 9:22          | 43:12,13                | 138:25                  | 71:7 72:7 73:2         | <b>seeing</b> 76:2,10   |
| 78:20 137:7,15         | 125:13                  | <b>role</b> 21:3 22:5,6 | 73:5 74:16,19          | 76:14,22 96:4           |
| 138:1,4,4,5,5          | <b>Responses</b> 43:14  | 33:5 82:9,19            | 74:23 75:12,15         | 108:8                   |
| <b>reporter's</b> 7:22 | 43:15                   | 82:21 83:1,4            | 76:2,3,7,11,19         | <b>seek</b> 45:9,12     |
| <b>reports</b> 16:3    | <b>responsibilities</b> | <b>rotate</b> 35:7      | 76:22 77:4,18          | <b>seen</b> 40:16 73:5  |
| <b>represent</b> 8:15  | 16:15 49:20             | <b>rotation</b> 34:19   | 77:19,20 78:8          | 94:22 95:1,7            |
| <b>representative</b>  | 95:18                   | 35:5                    | 78:12 79:22            | 96:6,17 97:20           |
| 15:6 18:17             | <b>responsibility</b>   | <b>routine</b> 116:2    | 80:11 89:12,13         | 109:21 116:24           |
| 48:16,20,23            | 75:4 92:23              | 126:17                  | 106:7 124:13           | 117:3                   |
| 50:9 72:11             | <b>responsible</b>      | <b>routinely</b> 115:25 | 124:14 125:7           | <b>send</b> 36:11 72:4  |
| 92:1,9                 | 16:21,22,24             | 117:11,15,24            | <b>seat</b> 91:20      | 72:7 90:2               |
| <b>representatives</b> | 37:23 61:17,19          | 118:2,12                | <b>seats</b> 35:24,25  | 100:25 105:15           |
| 18:15 46:24            | 130:14                  | <b>rule</b> 126:18      | <b>second</b> 69:9     | 114:8 118:14            |
| 47:3 50:7 83:7         | <b>rest</b> 78:20       | <b>rules</b> 9:20       | 100:8 126:22           | 124:9,12 125:5          |
| 92:11,12 93:6          | <b>result</b> 46:2 94:7 | 126:21 127:19           | 126:22                 | 125:6 126:22            |
| 93:10                  | <b>resulted</b> 101:23  | 127:19,20,21            | <b>secretarial</b>     | 127:2                   |
| <b>represented</b>     | <b>retained</b> 3:7     | 127:22 128:2            | 14:10,11 33:19         | <b>sending</b> 125:9    |
| 77:10                  | <b>returned</b> 41:21   | <b>run</b> 75:10 79:22  | <b>secretary</b> 15:4  | <b>sends</b> 25:1 49:16 |
| <b>request</b> 75:19   | 42:6,7                  | 81:1 124:6              | 91:16,17 92:22         | <b>send-out</b> 72:8    |
| 78:6 104:11            | <b>Revenue</b> 37:12    | <b>runs</b> 125:2       | 93:14                  | <b>senior</b> 51:11     |
| 127:2 136:11           | <b>review</b> 33:24     |                         | <b>section</b> 45:1    | 61:15                   |
| <b>requested</b> 75:16 | 38:14 137:4             | <b>S</b>                | 94:10                  | <b>sense</b> 10:12      |
| 101:9,10 134:2         | <b>reviewed</b> 93:25   | <b>S</b> 5:1 6:3 7:11   | <b>security</b> 19:7   | 16:13                   |
| <b>requests</b> 104:9  | <b>reviewing</b> 34:10  | <b>sake</b> 9:18 10:4   | 20:21 36:19            | <b>sent</b> 31:11 41:25 |
| 131:4                  | 95:20                   | <b>saw</b> 99:4 121:2   | 43:4 108:10            | 71:9 72:3 84:6          |
| <b>require</b> 89:6    | <b>rflojo@slmpd...</b>  | <b>saying</b> 26:21,23  | <b>see</b> 9:21 11:20  | 84:7,19 101:2           |
| 119:2,5,12,16          | 5:21                    | 57:6 90:9               | 18:18 39:3,16          | 118:15 126:23           |
| 136:4,5                | <b>ride-alongs</b>      | 101:2 125:8             | 39:16 43:5             | 127:2                   |
| <b>required</b> 27:6   | 17:23                   | <b>says</b> 11:16 66:12 | 44:10,11 62:11         | <b>separate</b> 19:21   |
| 42:18 48:18            | <b>Rifkind</b> 5:8      | 66:20 67:21             | 62:14,17 66:13         | 37:17 42:21,22          |
| 56:11 64:7,9           | <b>right</b> 30:5 37:4  | 69:1 73:11              | 67:16 68:11            | 43:21 44:13             |
| 71:19,21,25            | 37:24 43:21             | 98:1 100:7,25           | 72:6 74:20             | 62:8 128:9,11           |
| 114:14 124:8           | 67:21 68:7              | 105:8,15                | 76:7 77:4              | <b>separately</b> 44:18 |
| 125:4                  | 69:7 88:23              | 108:10,14               | 88:24 95:14            | <b>served</b> 77:18     |
| <b>requirement</b>     | 95:24 101:20            | 109:9 118:4             | 98:16 99:3             | <b>service</b> 33:20    |

## MIDWEST LITIGATION SERVICES

CINDY JENNINGS 3/30/2017

|   |   |  |   |   |
|---|---|--|---|---|
| 36:14 71:9<br>72:5,8<br><b>services</b> 4:14 6:7<br>6:13 7:24<br>15:18 81:19<br>82:22<br><b>set</b> 11:25 36:19<br>131:22 132:3,9<br><b>seven</b> 44:22<br><b>severity</b> 28:11<br>30:4 32:17<br>59:10 109:1<br>119:22 120:2<br><b>sex</b> 27:8<br><b>share</b> 129:11<br><b>shared</b> 87:12<br><b>sharing</b> 129:7<br><b>Sharon</b> 130:16<br>133:2,3<br><b>sheet</b> 86:23<br><b>sheets</b> 33:25<br>86:25 87:3<br><b>Sheriff</b> 124:20<br><b>short</b> 134:18<br>136:22<br><b>shorthand</b> 4:17<br>7:5 138:5<br><b>shot</b> 74:16<br><b>show</b> 11:8 25:14<br>94:20 95:23<br>104:20 107:9<br>116:6 120:19<br><b>showed</b> 11:6<br>13:10 74:15<br><b>showing</b> 13:1<br>116:12 126:4<br><b>shown</b> 50:25<br>60:20 99:17<br>104:24<br><b>shows</b> 103:1,16<br><b>side</b> 24:1,4 35:15<br>35:16,20<br><b>signature</b> 7:7<br>137:9,10,17<br><b>similar</b> 40:7,8<br><b>single</b> 41:19 | 47:1 89:21<br>136:13<br><b>single-day</b> 52:24<br><b>singular</b> 46:4<br><b>sir</b> 67:12 97:8<br>106:10 107:21<br>108:23 117:1<br>118:22<br><b>sit</b> 17:21,24<br>86:13 93:1<br><b>site</b> 52:14<br><b>sits</b> 91:6 93:11<br><b>sitting</b> 13:4<br><b>situation</b> 26:17<br>30:11 56:24<br>81:11 118:24<br><b>six</b> 36:13 82:8<br>116:16<br><b>Social</b> 108:10<br><b>sodomy</b> 108:17<br><b>somebody</b> 81:7<br>90:6 110:7,11<br>110:12 111:14<br><b>someone's</b> 49:18<br><b>soon</b> 9:19<br>106:16<br><b>sorry</b> 41:4 54:15<br>54:17 76:20<br>97:5,11 116:14<br>118:9 121:11<br>133:16<br><b>sort</b> 118:2<br><b>sorts</b> 129:20<br><b>sound</b> 121:19<br><b>Sounds</b> 121:20<br><b>spare</b> 23:16<br><b>sparked</b> 65:19<br><b>speak</b> 12:15<br>59:3 132:12,16<br>132:18 133:19<br>136:8<br><b>speaking</b> 46:7<br>80:9<br><b>special</b> 110:4,18<br>110:20<br><b>specialization</b> | 35:5<br><b>specific</b> 18:13<br>41:7 47:8 48:7<br>62:1 88:11<br>90:12 100:22<br>113:5 129:10<br><b>specifically</b> 45:6<br>70:11,20 78:15<br>79:8 86:18<br>90:7<br><b>speculation</b><br>25:15 26:14<br>29:11 31:23<br>40:13 59:18<br>77:12<br><b>spell</b> 9:1<br><b>spend</b> 34:10<br><b>spent</b> 41:2,6,16<br>43:8<br><b>spoke</b> 12:7,18<br>54:15<br><b>spoken</b> 132:22<br>133:10<br><b>St</b> 4:15 5:5,19,20<br>6:2,8,14 7:21<br>8:15 11:19<br>17:5 23:18,24<br>23:24,25 24:7<br>35:14 47:3<br>48:21,25 50:10<br>50:16 88:5,10<br>91:22 93:7<br>109:14,23<br>112:3,23<br>123:25 124:3,5<br>124:10,19,20<br>124:22,25<br>125:9,10,18<br>126:2,2,9,14<br>127:3,8 130:7<br>130:20 134:23<br>135:5 136:5,8<br><b>staff</b> 37:22 45:17<br>55:14 70:18,21<br>85:11,21,24<br>132:6 | <b>stamped</b> 106:3<br><b>stamps</b> 67:15<br><b>stand</b> 105:25<br><b>standpoint</b><br>135:25<br><b>stands</b> 106:1,6<br><b>start</b> 14:18<br>66:10 72:19<br><b>started</b> 14:19<br>15:4 17:17<br><b>starting</b> 13:15<br><b>starts</b> 105:20<br>118:23<br><b>state</b> 4:15,20<br>8:25 24:2 31:1<br>31:3,11,12<br>32:15 69:19<br>98:3 109:20<br>126:24 127:3<br>138:7<br><b>statement</b> 60:9<br>65:23 69:12<br>89:7<br><b>States</b> 1:1 4:1<br>7:18<br><b>statewide</b> 31:13<br>31:19<br><b>status</b> 123:19<br>127:17<br><b>Statutory</b><br>108:16<br><b>stay</b> 28:16 95:19<br><b>staying</b> 24:19<br><b>stays</b> 31:11<br><b>stenographic</b><br>138:12<br><b>step</b> 120:9,14<br>125:16,23<br><b>STIPULATED</b><br>7:2<br><b>stolen</b> 47:16,17<br><b>stop</b> 12:10 24:16<br>24:17 29:8<br>30:2 54:9,20<br>105:6,7 106:16<br>107:4,8,23 | 108:6 110:6<br>111:11,16<br>117:11,23<br>118:11 124:11<br>135:2,3<br><b>stopped</b> 93:14<br>127:4<br><b>stops</b> 120:7<br><b>stored</b> 39:1 59:5<br>59:5 84:24<br>101:3<br><b>straight</b> 58:9<br><b>Street</b> 4:15 5:5<br>5:20 6:8,14<br><b>strictly</b> 105:13<br><b>strike</b> 50:20<br>51:19 56:2,21<br>63:10 65:10<br>70:14 71:20<br>78:11<br><b>students</b> 63:20<br>78:16 86:15<br>89:5 122:4<br><b>stuff</b> 101:17<br><b>subject</b> 66:20<br>69:2 73:12<br><b>Submit</b> 76:23<br>77:5<br><b>subpoena</b> 13:10<br>104:6,13<br>133:20 134:4<br><b>subsequently</b><br>98:2<br><b>substance</b> 9:12<br><b>subtitle</b> 122:23<br><b>suggest</b> 117:25<br>121:21<br><b>suggests</b> 62:23<br>117:22 118:10<br><b>Suite</b> 5:20<br><b>summaries</b><br>95:16 98:12<br>99:7 128:19<br><b>summary</b> 94:2<br>98:16,25 99:2<br>99:4,5 |
|---|---|--|---|---|

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|-------------------------|-------------------------|-------------------------|--------------------------|-------------------------|
| <b>supervise</b> 16:19  | 31:7 32:4 49:4          | 87:21 90:23             | 30:2 53:25               | <b>think</b> 21:21 30:8 |
| <b>supervises</b> 80:19 | 138:6                   | 104:8 107:14            | 57:7,21,23               | 60:16 62:9              |
| <b>supervisor</b> 15:6  | <b>T</b>                | 128:17 133:23           | 58:5,14,21               | 63:4 67:8,22            |
| 15:14,17,22             | <b>TAC</b> 48:3,12,24   | 134:22 137:2            | 59:1,8,9 69:21           | 69:20,22 73:1           |
| 16:1,11,16              | 49:3,24,25              | <b>talking</b> 9:22,25  | <b>ten</b> 15:15 38:6    | 77:9 78:1 83:5          |
| 23:13 33:5              | 50:6,13 54:5,8          | 53:24 79:5              | 51:23 82:20              | 95:24 116:21            |
| 38:6 52:4 62:3          | 55:23 56:2              | 94:14 105:20            | 83:5 108:25              | 122:12 128:15           |
| 82:14 100:21            | 71:8,12 72:12           | 113:16 114:9            | 126:19,25                | 137:2                   |
| 101:16 135:9            | 74:12 84:10,14          | 130:11,18               | 127:1                    | <b>thinking</b> 90:12   |
| <b>supervisors</b>      | 85:3,12,15,17           | <b>talks</b> 109:25     | <b>ten-minute</b>        | <b>third</b> 58:9 82:21 |
| 15:21                   | 85:20                   | <b>taught</b> 44:18     | 126:18                   | 100:9 127:2             |
| <b>support</b> 56:10    | <b>TACs</b> 72:10       | 122:16 127:15           | <b>term</b> 58:11        | <b>tholland@pau...</b>  |
| <b>suppressed</b> 73:9  | <b>take</b> 9:23 10:21  | 128:1,4,5,12            | <b>Terminal</b> 48:4     | 5:10                    |
| <b>sure</b> 10:6 18:7   | 20:13,15,16,17          | 131:8                   | 48:13                    | <b>thought</b> 102:2    |
| 26:5 31:16              | 23:3,6 35:12            | <b>teach</b> 20:1,4     | <b>terms</b> 41:23       | <b>three</b> 10:18,19   |
| 33:24 34:7              | 36:1,16,22              | 42:3,5 44:8             | 130:2                    | 11:4 12:1 15:9          |
| 72:24 75:25             | 39:9,15,19              | 63:18,18,18             | <b>test</b> 36:24 37:1,2 | 30:13 32:4              |
| 86:22 118:4             | 40:10 43:7              | 66:6 131:21             | 37:20 39:10,15           | 34:20 35:1,4            |
| 124:24 129:10           | 44:22 50:21             | <b>teaches</b> 35:6     | 40:1,4,9,16,19           | 44:7 58:5 62:7          |
| 136:8                   | 53:9 60:15              | <b>teaching</b> 34:7,11 | 41:1 44:12               | 62:8,19 75:1            |
| <b>surrounded</b>       | 63:10,24 64:4           | 44:7 89:18              | 49:14 75:11              | 81:22,22,25             |
| 109:23                  | 64:5,7,11 66:9          | 122:3                   | 129:22                   | 103:17 105:10           |
| <b>suspect</b> 111:12   | 72:17,20 78:16          | <b>team</b> 16:23 35:2  | <b>testified</b> 103:21  | 132:8                   |
| <b>swear</b> 80:16      | 78:19 79:21             | 81:2 83:16,17           | 136:16                   | <b>Thursday</b> 4:12    |
| <b>sworn</b> 4:12       | 86:23 90:15             | 102:15,16,20            | <b>testify</b> 11:22     | <b>ticket</b> 102:13    |
| 138:9                   | 92:23 96:24             | <b>technical</b> 41:23  | 138:10                   | <b>tickets</b> 130:14   |
| <b>system</b> 21:19     | 97:11 122:11            | 49:16 80:4              | <b>testifying</b> 11:3   | 130:15                  |
| 28:9,10,16              | 125:4,17 126:8          | 129:24                  | 11:17 12:3               | <b>Tim</b> 8:24         |
| 31:5 32:9,10            | 127:10,12,16            | <b>teletype</b> 68:19   | <b>testimony</b> 138:8   | <b>time</b> 7:15 31:15  |
| 32:16 33:2              | 133:21                  | 112:7                   | 138:11                   | 34:10 39:15             |
| 34:5,15 41:11           | <b>taken</b> 4:13 7:4   | <b>teletypes</b> 50:18  | <b>testing</b> 34:15     | 41:2,6,18 43:8          |
| 49:4,6 50:2,4           | 30:15 78:25             | 107:24 118:1            | 36:15                    | 44:9 52:7               |
| 59:5 64:14,20           | 83:11,11 111:6          | <b>tell</b> 13:11 16:25 | <b>tests</b> 38:21 40:22 | 64:18 70:25             |
| 72:4 74:15              | 137:7 138:11            | 28:17 35:11             | 79:22 81:1               | 78:23 79:1              |
| 80:16 83:15,20          | 138:18                  | 36:25 46:9,10           | <b>Thank</b> 9:4 19:2    | 80:15 88:8              |
| 84:1,2,3 85:20          | <b>takes</b> 35:20 53:2 | 46:15 48:20,23          | 60:24 68:14              | 106:2 107:17            |
| 101:1 105:6,8           | 75:5                    | 52:22 63:12             | 78:22 109:24             | 112:6 114:9             |
| 106:4,18 107:7          | <b>talk</b> 9:24 23:12  | 70:23 72:3              | 136:22,25                | 116:4 117:7,21          |
| 107:18 108:6            | 33:4 37:4 48:4          | 79:11,19,25             | 137:1                    | 119:23 120:2            |
| 110:3 112:11            | 50:5 80:10              | 105:4 114:2,21          | <b>themselves</b> 124:9  | 122:11 132:21           |
| 123:19 126:24           | 103:19 110:14           | 114:22 115:2            | <b>thereto</b> 55:25     | 137:12                  |
| 127:3,20                | 120:7 130:13            | 125:18 131:7            | <b>thing</b> 89:1        | <b>times</b> 10:9,17    |
| 135:15                  | 130:15,16               | <b>telling</b> 75:8     | 112:12 137:15            | 12:15 20:1              |
| <b>systems</b> 17:13    | 133:24 134:10           | <b>tells</b> 45:22 46:8 | <b>things</b> 49:5 72:7  | 38:9 52:9 67:8          |
| 19:10 29:5,6            | <b>talked</b> 41:9 73:2 | 81:9 107:17             | 95:1 120:5               | 68:2                    |
| 29:13 30:13             |                         | <b>temporary</b> 29:1   | 129:20                   | <b>Timothy</b> 5:8 8:2  |

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CINDY JENNINGS 3/30/2017

|                         |                         |                         |                         |                         |
|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| <b>title</b> 82:1       | 17:17 19:3              | 130:1                   | 39:8 43:9               | 64:20 87:10             |
| <b>today</b> 8:25 9:5   | 22:13,22 49:15          | <b>trying</b> 32:3,8    | 50:22 56:1,11           | 94:23 112:14            |
| 9:12,16 10:5            | 49:20,21 66:4           | 56:1 77:17              | 77:14,17 81:14          | 112:18,25               |
| 11:3,22 12:4            | 85:8 131:14,17          | 81:14 103:19            | 94:9,22 99:22           | 113:12,13               |
| 13:2,7 20:12            | 131:20 135:9            | 103:23                  | 101:15 111:9            | 122:21 131:14           |
| 28:22 33:8              | <b>training</b> 11:18   | <b>turn</b> 62:9 67:3   | <b>understanding</b>    | 131:18                  |
| 54:16 82:2,4            | 14:12,14 15:6           | 121:9 126:1             | 43:5 68:16              | <b>user</b> 32:11 36:17 |
| 87:9 90:24              | 15:14,17,22             | <b>twice</b> 50:1,12    | 75:23 80:17             | 39:12,18 43:19          |
| 119:15 131:24           | 16:10,16,17,18          | <b>two</b> 9:22 28:2    | 90:25 93:5              | 44:5 45:21              |
| 134:14 136:25           | 16:25 17:19             | 34:21 35:17             | 117:3 135:12            | 46:17,21,25             |
| <b>Today's</b> 7:14     | 18:9 20:18              | 37:18 39:1,17           | <b>understood</b>       | 47:7,19,22,25           |
| <b>told</b> 20:12 37:22 | 22:22 23:3              | 39:18 44:10             | 33:21 94:10             | 106:2,4                 |
| 70:13,15 74:22          | 30:10,14 33:5           | 48:19 58:8              | 106:13 109:24           | <b>users</b> 26:2,6     |
| 75:21 80:12             | 33:5,22 34:2,4          | 67:6 87:1               | 127:18 132:11           | 32:10 40:22             |
| 113:10 126:9            | 34:9,19 36:10           | 96:18 97:6,20           | <b>unit</b> 18:6 51:6,9 | 56:23 74:20             |
| 133:25 136:21           | 36:14 38:6              | 99:4 103:13,17          | 52:11 102:12            | 123:4                   |
| <b>tool</b> 56:14,17,20 | 41:15,22 45:25          | 103:21 110:4            | 130:17                  | <b>uses</b> 47:1 93:10  |
| 56:23                   | 52:4 62:2               | 112:8 120:5             | <b>United</b> 1:1 4:1   | <b>usually</b> 50:3     |
| <b>top</b> 30:1 58:5    | 64:14 65:4,12           | 126:16 132:23           | 7:18                    |                         |
| 63:3 66:12              | 65:13,15,21             | <b>two-day</b> 36:21    | <b>unnecessary</b>      | <b>V</b>                |
| 136:12                  | 71:5,7,16               | 37:5,7,8 39:10          | 57:23                   | <b>vague</b> 9:6        |
| <b>topic</b> 95:3       | 85:11,14 98:3           | 41:1,3,5 42:20          | <b>update</b> 49:16     | <b>valid</b> 87:19      |
| <b>topics</b> 2:7 11:23 | 100:20 101:15           | 42:24 43:7,8            | 55:14 73:4              | 120:12 127:14           |
| 13:9 23:2 37:6          | 102:12 103:13           | 44:8                    | 75:5,6 80:4             | <b>validate</b> 111:5   |
| <b>touch</b> 126:13     | 120:15 122:23           | <b>type</b> 30:3 31:8   | 129:24                  | 115:9 119:8             |
| <b>track</b> 100:18     | 131:11,22               | 66:19 68:20             | <b>updated</b> 34:8     | <b>validated</b> 114:14 |
| <b>train</b> 17:2,3,12  | 132:8 134:22            | 69:1 88:2               | 38:15 51:19             | 114:18 115:23           |
| 19:3,4 22:13            | 135:9                   | 100:16,21               | 52:6 62:11,13           | 115:25 116:3            |
| 22:14,24,25             | <b>trainings</b> 19:16  | 101:6 104:6             | 62:16,23 66:11          | 119:2,6,12,17           |
| 23:2,9 30:9,17          | 19:17,19 22:12          | <b>types</b> 20:24 21:5 | 87:18                   | <b>validates</b> 115:21 |
| 32:7 35:18              | 33:6,8 35:8,11          | <b>typewriting</b> 7:7  | <b>updates</b> 39:13    | <b>validating</b> 115:3 |
| 36:2,3 42:10            | 56:5,9 63:13            | <b>typical</b> 47:21    | 55:15 61:18,21          | 115:5,7                 |
| 45:8,11 61:5            | 86:8 94:6               |                         | <b>updating</b> 67:6    | <b>validation</b> 114:3 |
| 64:20 71:19             | 129:19 130:21           | <b>U</b>                | <b>upper</b> 100:7      | 114:6,8,15              |
| 135:13,14,18            | 131:2,5 132:4           | <b>Uh-huh</b> 52:16     | <b>up-to-date</b> 95:19 | 115:10,17,18            |
| 135:19,22               | <b>transactions</b>     | 107:15 117:13           | <b>urgent</b> 126:17    | 117:6,8,9,12            |
| 136:1                   | 110:4                   | 127:25 128:8            | 126:18                  | 117:15,17,21            |
| <b>trained</b> 17:16    | <b>transcribed</b> 7:7  | <b>unable</b> 126:13    | <b>use</b> 3:5 19:8,15  | 117:24 118:3            |
| 71:14 78:9,10           | <b>transcript</b> 3:9   | 127:8                   | 19:16 22:24             | 118:12,16               |
| 78:13                   | 137:3                   | <b>unclear</b> 9:6      | 26:7 30:10,19           | 119:12 136:4,5          |
| <b>trainer</b> 15:5,8   | <b>true</b> 119:15      | <b>underneath</b>       | 32:5,9 33:1             | 136:7,17                |
| 15:11 18:16             | <b>trust</b> 137:6      | 17:16 33:7              | 41:10 52:11             | <b>Valley</b> 13:21     |
| 22:17 23:5,9            | <b>truth</b> 138:10,11  | 108:13,18               | 56:4,8,14,18            | <b>varies</b> 30:1      |
| 33:11 51:11             | <b>truthfully</b> 9:11  | 109:8                   | 56:24 57:2              | 46:22 53:6              |
| 61:15 95:19             | <b>try</b> 9:7,24 39:24 | <b>understand</b> 9:5   | 59:11 61:4              | 123:15                  |
| <b>trainers</b> 16:8    | 68:11 79:6              | 20:17 21:25             | 63:12,19 64:14          | <b>variety</b> 129:25   |

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CINDY JENNINGS 3/30/2017

|  |  |   |   |  |
|--|--|---|---|--|
| <b>various</b> 13:2<br>18:8 20:11,24<br>56:19 93:6<br><b>varying</b> 37:2<br><b>vehicle</b> 21:9<br>37:13 47:15,16<br>47:17 120:17<br>125:2<br><b>verify</b> 115:15<br><b>version</b> 62:23<br>63:1 66:12<br>67:4,5,23<br>68:17,18 69:7<br>69:25 73:1,23<br>74:1,5,7,8,9<br><b>versions</b> 62:19<br><b>versus</b> 7:17<br>28:14,15 30:13<br>59:13<br><b>video</b> 35:8 86:9<br>86:11<br><b>videographer</b><br>6:6 7:13,23<br>78:23 79:1<br>137:12<br><b>videotapes</b> 87:5<br><b>video-recorded</b><br>1:10 4:11 7:16<br><b>view</b> 84:25<br>106:8 110:19<br>110:21<br><b>viewable</b> 110:7<br>110:10,12<br><b>viewing</b> 22:2<br><b>views</b> 20:21<br>57:22<br><b>visit</b> 18:12<br><b>vote</b> 91:13<br><b>Voting</b> 92:11<br><b>vs</b> 1:6 4:6 66:13 | 137:18<br><b>walk</b> 13:14,16<br>15:1 63:14<br>104:14 123:24<br><b>walking</b> 34:15<br><b>Walsh</b> 8:16<br><b>want</b> 10:2 28:21<br>32:10,16 38:3<br>40:8,8 42:12<br>46:19 48:10<br>79:18 88:24<br>90:15,25 94:23<br>97:10 102:25<br>113:11 118:15<br>120:13 128:15<br>131:8 136:5<br><b>wanted</b> 24:8,9,9<br>24:10,19,21<br>25:1,10 26:18<br>27:4,22,25<br>28:5,8 30:2<br>31:13,19 32:15<br>32:18 33:1<br>41:25 42:13<br>43:11,16 45:2<br>45:7,9,12,13<br>45:23 46:2,11<br>46:14 47:15,17<br>47:23 50:4<br>52:13,15,22,24<br>52:25 53:3,25<br>53:25 56:7<br>57:7,7,16,17<br>57:21 58:6,6,9<br>58:12,14,14,21<br>59:2,8,8,9,12<br>59:15,23 60:2<br>61:5,5,7 63:13<br>64:8 65:8,11<br>65:22 66:1,1<br>66:12,17,20,20<br>66:23,25 68:19<br>69:1,3,9,18<br>70:4,5,16<br>73:10,11,12,14<br>73:16 74:20 | 76:5,15 77:3<br>78:14 79:20<br>80:10,14,25<br>89:1,19 90:4<br>90:17,20 98:6<br>98:13,18<br>100:15 101:3<br>101:21,21<br>103:6 104:14<br>105:5 107:23<br>108:2,5,16<br>111:10,15<br>114:23 115:14<br>115:15 117:4,7<br>118:15 119:8<br>120:17 121:3,6<br>121:18,22<br>122:12 123:10<br>123:11 124:1<br>125:1,3,14<br>126:3 128:9<br>133:7 135:23<br><b>wanted</b> 28:24<br>29:2,5,7,17<br>41:2,6,13,17<br>41:23 42:4<br>43:9 50:18<br>58:3 60:6<br>69:21,21 77:10<br>77:21 79:9<br>80:15 89:6<br>94:11 98:3<br>100:2,4,13,22<br>101:5,22,22<br>103:1,3,4<br>112:14 114:3<br>115:24 117:14<br>119:2,9,16,19<br>135:2,6<br><b>Wanted/Stop</b><br>100:7<br><b>wants</b> 22:10<br>112:7<br><b>warning</b> 76:15<br><b>warrant</b> 24:22<br>25:3 27:17,17 | 27:19 28:15<br>30:2 53:25<br>57:6,16,17,23<br>58:5 59:13,16<br>59:23 60:2,7<br>66:13,21 73:13<br>103:4 115:13<br>125:15<br><b>warrants</b> 30:2<br>101:25 117:10<br>117:23 118:11<br><b>wasn't</b> 71:25<br><b>way</b> 26:7,13<br>40:18 78:12<br>79:24,25,25<br>111:5<br><b>ways</b> 32:5 65:20<br>80:2 129:21,25<br><b>website</b> 49:13<br>129:13,22<br><b>websites</b> 49:19<br><b>weeks</b> 11:4 12:2<br>82:8<br><b>weight</b> 27:9<br><b>Weiss</b> 5:8 8:3<br><b>welcome</b> 136:23<br><b>went</b> 14:2,3<br>38:10 70:18<br>121:16<br><b>weren't</b> 36:3<br><b>we'll</b> 30:6 37:4<br>88:19 104:11<br>104:13 106:25<br>120:7 128:15<br><b>we're</b> 7:23 13:5<br>23:8 35:22<br>46:18,23 49:4<br>72:25 75:2<br>79:2 91:12<br>104:17,18<br><b>we've</b> 13:9 34:6<br>41:9 42:20<br>52:17,18 67:13<br>67:15 87:8<br>90:23,24<br><b>Wharton</b> 5:8 | <b>whichever</b> 81:21<br><b>White</b> 15:20,23<br><b>Wicking</b> 130:17<br><b>William</b> 82:10<br><b>Willman</b> 35:3<br><b>Wilson</b> 5:12 8:9<br>8:9<br><b>withdraw</b> 59:21<br><b>withdrawn</b><br>28:25 30:17<br>34:17 41:4<br>46:9 48:22<br><b>witness</b> 5:18 7:9<br>32:14 39:6<br>40:14 51:1<br>60:12,21 77:14<br>78:5,22 99:18<br>104:25 136:23<br>137:1,10,18<br>138:8,11<br><b>wonder</b> 101:4<br><b>wondering</b><br>12:14 44:14<br>117:25<br><b>word</b> 32:24<br><b>wording</b> 77:19<br><b>words</b> 9:23<br><b>work</b> 11:6 17:22<br>18:4,5,16 34:2<br>45:21 83:18<br><b>worked</b> 14:23<br>15:3,4 122:2<br><b>working</b> 16:22<br><b>worry</b> 134:19<br><b>wouldn't</b> 31:12<br>31:13,19 59:15<br>59:16 68:8<br>80:16 110:20<br>127:12<br><b>wrap</b> 32:3<br><b>wrong</b> 32:24<br>69:13,14,14,15<br>69:22,23 |
| <hr/> <b>W</b> <hr/> <b>wait</b> 10:1 72:22<br>96:20<br><b>waive</b> 137:9,10<br><b>waived</b> 7:8   |  |   |   | <hr/> <b>Y</b> <hr/> <b>yeah</b> 25:21 29:9  |

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|                   |                 |                  |                 |                  |
|-------------------|-----------------|------------------|-----------------|------------------|
| 34:15 89:15       | 16 2:9 60:18    | 212)373-3373     | 1:6 4:6         | 8 2:4            |
| 101:13 122:17     | 62:13 66:10     | 5:10             | 4052 105:21     | 8:30 35:16       |
| 131:25 136:13     | 72:19,25        | 212)614-6464     | 41 6:3          | 80 92:21         |
| year 14:21 15:2   | 16-18 60:20     | 5:14             | 48 58:14        | 80s 15:10        |
| 19:20 20:4        | 17 2:10 60:18   | 24 2:24 72:17,19 |                 | 81 92:21         |
| 38:13 50:1,12     | 62:10,22 68:22  | 72:25 74:1       | 5               | 855)724-2489     |
| 58:19 62:17       | 72:17 73:25     | 99:15,17         | 5 2:20 96:11,12 | 5:6              |
| 98:14 100:8,14    | 18 2:11 35:22   | 25 35:25         | 97:10           |                  |
| 101:22 114:19     | 36:1 60:18      | 27 21:8,21 36:20 | 5th 96:20,22    | 9                |
| years 10:22,23    | 62:16 67:3,11   | 36:21 37:9       | 97:1,2          | 9 138:22         |
| 15:9,15 38:7      | 1915 5:20       | 39:11 41:16      | 50 2:8          | 9th 6:3          |
| 39:1,4,17,18      | 1978 14:24      | 43:6 44:4,17     | 55 53:18,19,20  | 9:00 35:15       |
| 44:11 48:24       |                 | 52:19 53:7,9     | 56789 68:3      | 9:28 1:15        |
| 51:21,23 62:5     | 2               | 63:24 71:23      | 567911 67:25    | 9:29 7:11,15     |
| 82:13,20 83:5     | 2 2:12,25 21:17 | 76:6 106:8       | 6               | 90 116:2,4 136:6 |
| 87:1 108:17       | 21:23 22:1      | 110:8,11         | 6 2:15,19 3:1   | 136:16           |
| Yep 108:15        | 44:21 53:14,17  |                  | 116:7,8,18,19   | 91 67:21         |
| yesterday 12:7    | 95:24,25 96:16  | 3                | 116:20,22       | 96 2:12,14,16,20 |
| York 5:9,14       | 102:9,11        | 3 2:8,14 50:23   | 121:10          | 99 2:24          |
|                   | 104:21,24       | 50:25 53:12      | 6th 96:22 97:7  |                  |
| #                 | 118:20,21       | 95:25 96:16      | 97:17,24        |                  |
| #11867 6:12       | 121:9,11        | 118:20           | 60 2:9,10,11    |                  |
| #1291 6:13        | 2-3 96:1        | 3rd 133:22       | 21:1 116:4      |                  |
| 138:25            | 2010 121:13,22  | 3:30 35:16       | 136:6,6         |                  |
| 0                 | 122:8           | 30 1:12 4:13     | 602 132:7       |                  |
| 05/2010 121:12    | 2011 101:6      | 12:18,22 37:21   | 63101 6:8,14    |                  |
| 1                 | 2012 3:2 117:20 | 110:24 127:9     | 63103 5:5,20    |                  |
| 1 2:7 3:2 11:9,10 | 2014 69:6,14,15 | 127:13 133:11    | 63105 6:3       |                  |
| 68:2              | 70:2 74:1       | 30th 7:14        | 666 5:13        |                  |
| 1st 82:25         | 77:20 121:16    | 30-day 110:16    | 7               |                  |
| 10:55 78:23       | 121:17          | 314)444-5609     | 7 2:13,23 3:3   |                  |
| 10012 5:14        | 2015 2:13,15,19 | 5:21             | 120:20,21       |                  |
| 10019-6064 5:9    | 2:23 93:20      | 314)615-7042     | 7th 5:13 97:16  |                  |
| 104 2:25          | 97:16,17,24     | 6:4              | 118:18          |                  |
| 11 2:7 68:3       | 118:18          | 314)644-2191     | 7/2014 62:11,23 |                  |
| 11th 4:15 6:8,14  | 2016 62:13      | 6:9,15           | 711 4:14 6:8,14 |                  |
| 11:09 79:1        | 66:11 68:18     | 38 35:25 36:1    | 73 20:9         |                  |
| 116 3:1           | 69:25 70:3      | 4                | 74 20:9         |                  |
| 12:20 137:19      | 73:1,19,22      | 4 2:16 66:9,12   | 75 20:6         |                  |
| 12:21 137:12      | 74:5,6,9 77:22  | 68:15,22 96:8    | 773 5:20        |                  |
| 120 3:3           | 98:14 121:17    | 96:9 97:10,11    | 78 14:22 91:18  |                  |
| 1210 5:5          | 2017 1:12 4:13  | 97:13,14         | 92:21           |                  |
| 1285 5:9          | 7:14 62:17      | 4:00 35:15       | 79 92:21        |                  |
| 134 2:5           | 67:4 121:18     | 4:16-CV-0024...  | 8               |                  |
| 14 108:17         | 138:22          | 7:18             |                 |                  |
|                   | 21 71:23        | 4:16-CV-0025...  |                 |                  |

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